

Message

From: Han, Kaythi [Han.Kaythi@epa.gov]
Sent: 6/12/2018 9:07:52 PM
To: Dinkins, Darlene [Dinkins.Darlene@epa.gov]
CC: Siedschlag, Gregory [Siedschlag.Gregory@epa.gov]; Lantz, Tracy [Lantz.Tracy@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Herndon, George [Herndon.George@epa.gov]
Subject: RE: OPP Update on notice of availability on availability of WPS training materials

Hi Darlene,

I've cleared this version with the worker protection branch. Let me know if you need anything else on this new OPP Update!

Kaythi

Ex. 5 Deliberative Process (DP)

From: Dinkins, Darlene
Sent: Tuesday, June 12, 2018 10:48 AM
To: Han, Kaythi <Han.Kaythi@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>
Subject: FW: Due Tues noon — Desk statement on notice of availability on availability of WPS training materials

Greg and Kaythi,

Ex. 5 Deliberative Process (DP)

Darlene Dinkins
Office of Pesticide Programs
U.S. Environmental Protection Agency

(703) 305-5214

From: Keigwin, Richard
Sent: Tuesday, June 12, 2018 10:40 AM
To: Dinkins, Darlene <Dinkins.Darlene@epa.gov>
Cc: Sisco, Debby <Sisco.Debby@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Subject: RE: Due Tues noon — Desk statement on notice of availability on availability of WPS training materials

Ex. 5 Deliberative Process (DP)

From: Dinkins, Darlene
Sent: Tuesday, June 12, 2018 10:32 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sisco, Debby <Sisco.Debby@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Subject: RE: Due Tues noon — Desk statement on notice of availability on availability of WPS training materials

Ex. 5 Deliberative Process (DP)

Darlene Dinkins
Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 305-5214

From: Keigwin, Richard
Sent: Tuesday, June 12, 2018 10:19 AM
To: Dinkins, Darlene <Dinkins.Darlene@epa.gov>
Cc: Sisco, Debby <Sisco.Debby@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Subject: RE: Due Tues noon — Desk statement on notice of availability on availability of WPS training materials

Ex. 5 Deliberative Process (DP)

From: Dinkins, Darlene
Sent: Tuesday, June 12, 2018 10:06 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sisco, Debby <Sisco.Debby@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Subject: FW: Due Tues noon — Desk statement on notice of availability on availability of WPS training materials

Rick,

Ex. 5 Deliberative Process (DP)

Darlene Dinkins

Office of Pesticide Programs

U.S. Environmental Protection Agency

(703) 305-5214

From: Han, Kaythi

Sent: Tuesday, June 12, 2018 9:44 AM

To: Dinkins, Darlene <Dinkins.Darlene@epa.gov>

Cc: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Lantz, Tracy <Lantz.Tracy@epa.gov>

Subject: FW: Due Tues noon — Desk statement on notice of availability on availability of WPS training materials

Hi Darlene,

Here's the draft desk statement. It was cleared by CWPB. Let me know if you need anything else!

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Kaythi Han
Team Leader, Communications

Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 305-5642 | han.kaythi@epa.gov

-----Original Message-----

From: Strauss, Linda

Sent: Monday, June 11, 2018 10:03 AM

To: Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>

Cc: Keigwin, Richard <Keigwin.Richard@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>

Subject: Due Tues noon — Desk statement on notice of availability on availability of WPS training materials

Ex. 5 Deliberative Process (DP)

Linda

Sent from my iPhone

Message

From: Hoyt, Sarita [Hoyt.Sarita@epa.gov]
Sent: 6/14/2018 8:37:05 PM
To: Fitz, Nancy [Fitz.Nancy@epa.gov]
CC: Weiner, Janet [Weiner.Janet@epa.gov]; Smoot, Cameo [Smoot.Cameo@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]
Subject: Re: Pesticide Program Update: EPA Announces Federal Register Notice Regarding the Availability of Worker Protection Training Materials

Thanks Nancy.

Sarah

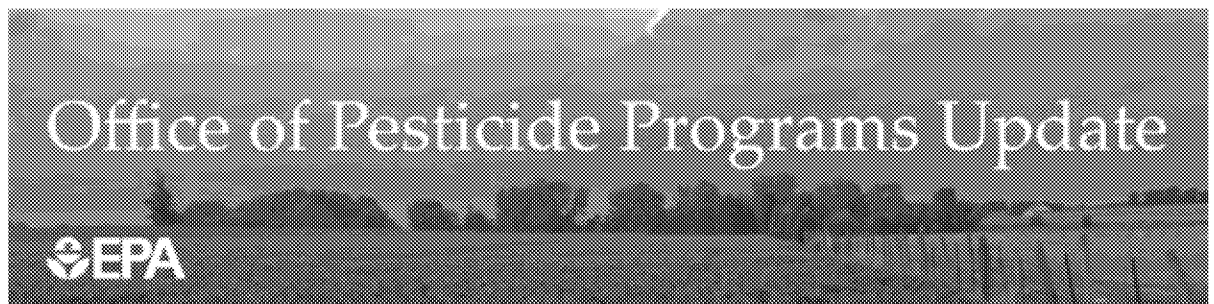
Sent from my iPhone

On Jun 14, 2018, at 3:05 PM, Fitz, Nancy <Fitz.Nancy@epa.gov> wrote:

FYI -

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

From: EPA Pesticides Programs [<mailto:oppt.epa@public.govdelivery.com>]
Sent: Thursday, June 14, 2018 2:46 PM
To: Fitz, Nancy <Fitz.Nancy@epa.gov>
Subject: Pesticide Program Update: EPA Announces Federal Register Notice Regarding the Availability of Worker Protection Training Materials



EPA Announces Federal Register Notice Regarding the Availability of Worker Protection Training Materials

EPA is notifying the public that the Agency intends to publish in the Federal Register a notice stating the pesticide safety training materials with the expanded content required by the 2015 FIFRA Worker

Protection Standard (WPS) are available for use. The notice of availability will be published in docket EPA-HQ-OPP-2011-0184 on www.regulations.gov.

The training materials with expanded content have been available at the [Pesticide Education Resources Collaborative \(PERC\)](#) and were developed through an EPA cooperative agreement. EPA also approved training materials developed by other organizations, some of which are available on PERC's website. Updated training materials must be used 180 days after the publication of the notice in the Federal Register.

EPA revised the WPS to implement more protections from pesticide exposure incidents for agricultural workers, handlers, and their families.

Note that EPA has initiated a process to revise certain requirements in the WPS. EPA plans to publish a Notice of Proposed Rulemaking later in 2018 to solicit comments on proposed revisions to the WPS requirements for minimum ages, designated representatives, and application exclusion zones. If the changes to the requirements are finalized, these safety training materials will be amended to reflect such changes. Until such time, all requirements are in effect.

For more information on the WPS and to see a prepublication copy of the notice, visit www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps.

EPA distributes its OPP Updates to external stakeholders and citizens who have expressed an interest in the Agency's pesticide program activities and decisions. This update service is part of EPA's continuing effort to improve public access to federal pesticide information.

For general questions about pesticides and pesticide poisoning prevention, contact the National Pesticide Information Center (NPIC) by email at npic@ace.orst.edu or by visiting the [NPIC website](#).

For information about ongoing activities in the Office of Pesticide Programs, [visit our homepage](#).

<!--[if !vml]--> You can unsubscribe or update your subscriptions or e-mail address at any time on your [Subscriber Preferences Page](#). All you will need is your e-mail address. If you have any questions or problems, please e-mail subscriberhelp.govdelivery.com for assistance.



><!-- [endif]-->

This service is provided to you at no charge by the [U.S. Environmental Protection Agency](#).

STAY CONNECTED:



facebook



twitter



YouTube



flickr flickr

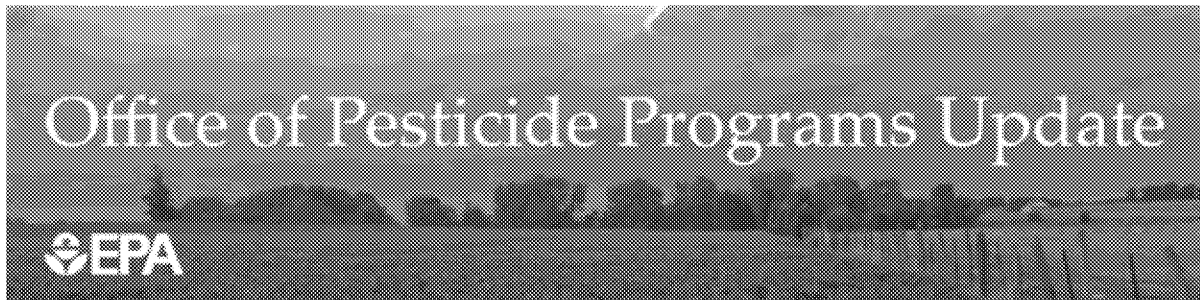
From: Keaney, Kevin [Keaney.Kevin@epa.gov]
Sent: 6/14/2018 7:19:31 PM
To: OPP FEAD Managers [OPP_FEAD_Managers@epa.gov]
Subject: FW: Pesticide Program Update: EPA Announces Federal Register Notice Regarding the Availability of Worker Protection Training Materials

From: Fitz, Nancy
Sent: Thursday, June 14, 2018 3:04 PM
To: EPA Worker Safety Contacts <EPA_Worker_Safety_Contacts@epa.gov>
Subject: FW: Pesticide Program Update: EPA Announces Federal Register Notice Regarding the Availability of Worker Protection Training Materials

FYI -

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

From: EPA Pesticides Programs [<mailto:oppt.epa@public.govdelivery.com>]
Sent: Thursday, June 14, 2018 2:46 PM
To: Fitz, Nancy <Fitz.Nancy@epa.gov>
Subject: Pesticide Program Update: EPA Announces Federal Register Notice Regarding the Availability of Worker Protection Training Materials



EPA Announces Federal Register Notice Regarding the Availability of Worker Protection Training Materials

EPA is notifying the public that the Agency intends to publish in the Federal Register a notice stating the pesticide safety training materials with the expanded content required by the 2015 FIFRA Worker Protection Standard (WPS) are available for use. The notice of availability will be published in docket EPA-HQ-OPP-2011-0184 on www.regulations.gov.

The training materials with expanded content have been available at the [Pesticide Education Resources Collaborative \(PERC\)](#) and were developed through an EPA cooperative agreement. EPA also approved training materials developed by other organizations, some of which are available on

PERC's website. Updated training materials must be used 180 days after the publication of the notice in the Federal Register.

EPA revised the WPS to implement more protections from pesticide exposure incidents for agricultural workers, handlers, and their families.

Note that EPA has initiated a process to revise certain requirements in the WPS. EPA plans to publish a Notice of Proposed Rulemaking later in 2018 to solicit comments on proposed revisions to the WPS requirements for minimum ages, designated representatives, and application exclusion zones. If the changes to the requirements are finalized, these safety training materials will be amended to reflect such changes. Until such time, all requirements are in effect.

For more information on the WPS and to see a prepublication copy of the notice, visit www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps.

EPA distributes its OPP Updates to external stakeholders and citizens who have expressed an interest in the Agency's pesticide program activities and decisions. This update service is part of EPA's continuing effort to improve public access to federal pesticide information.

For general questions about pesticides and pesticide poisoning prevention, contact the National Pesticide Information Center (NPIC) by email at npic@ace.orst.edu or by visiting the [NPIC website](http://www.npic.orst.edu).

For information about ongoing activities in the Office of Pesticide Programs, [visit our homepage](#).



You can unsubscribe or update your subscriptions or e-mail address at any time on your [Subscriber Preferences Page](#). All you will need is your e-mail address. If you have any questions or problems, please e-mail subscriberhelp.govdelivery.com for assistance.

This service is provided to you at no charge by the [U.S. Environmental Protection Agency](#).

STAY CONNECTED:



facebook



twitter



YouTube



flickr flickr

This email was sent to fitz.nancy@epa.gov using GovDelivery Communications Cloud on behalf of: U.S. EPA Office of Chemical Safety and Pollution Prevention · 707 17th St, Suite 4000 · Denver, CO 80202 · 1-800-439-1420



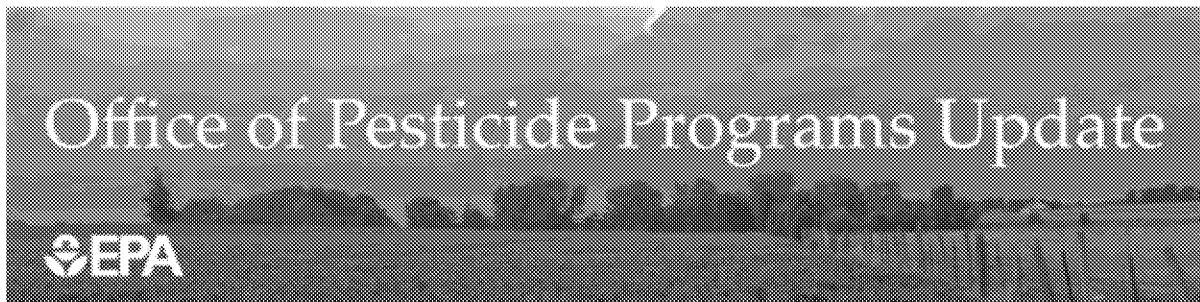
To stop receiving messages from EPA Worker Safety Contacts group, stop following it.

From: Fitz, Nancy [Fitz.Nancy@epa.gov]
Sent: 6/14/2018 7:05:10 PM
To: Weiner, Janet [Weiner.Janet@epa.gov]
CC: Smoot, Cameo [Smoot.Cameo@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Hoyt, Sarita [Hoyt.Sarita@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]
Subject: FW: Pesticide Program Update: EPA Announces Federal Register Notice Regarding the Availability of Worker Protection Training Materials

FYI -

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

From: EPA Pesticides Programs [mailto:oppt.epa@public.govdelivery.com]
Sent: Thursday, June 14, 2018 2:46 PM
To: Fitz, Nancy <Fitz.Nancy@epa.gov>
Subject: Pesticide Program Update: EPA Announces Federal Register Notice Regarding the Availability of Worker Protection Training Materials



EPA Announces Federal Register Notice Regarding the Availability of Worker Protection Training Materials

EPA is notifying the public that the Agency intends to publish in the Federal Register a notice stating the pesticide safety training materials with the expanded content required by the 2015 FIFRA Worker Protection Standard (WPS) are available for use. The notice of availability will be published in docket EPA-HQ-OPP-2011-0184 on www.regulations.gov.

The training materials with expanded content have been available at the [Pesticide Education Resources Collaborative \(PERC\)](#) and were developed through an EPA cooperative agreement. EPA also approved training materials developed by other organizations, some of which are available on PERC's website. Updated training materials must be used 180 days after the publication of the notice in the Federal Register.

EPA revised the WPS to implement more protections from pesticide exposure incidents for agricultural workers, handlers, and their families.

Note that EPA has initiated a process to revise certain requirements in the WPS. EPA plans to publish a Notice of Proposed Rulemaking later in 2018 to solicit comments on proposed revisions to the WPS requirements for minimum ages, designated representatives, and application exclusion zones. If the changes to the requirements are finalized, these safety training materials will be amended to reflect such changes. Until such time, all requirements are in effect.

For more information on the WPS and to see a prepublication copy of the notice, visit www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps.

EPA distributes its OPP Updates to external stakeholders and citizens who have expressed an interest in the Agency's pesticide program activities and decisions. This update service is part of EPA's continuing effort to improve public access to federal pesticide information.

For general questions about pesticides and pesticide poisoning prevention, contact the National Pesticide Information Center (NPIC) by email at npic@ace.orst.edu or by visiting the [NPIC website](http://npic.orst.edu).

For information about ongoing activities in the Office of Pesticide Programs, [visit our homepage](#).



You can unsubscribe or update your subscriptions or e-mail address at any time on your [Subscriber Preferences Page](#). All you will need is your e-mail address. If you have any questions or problems, please e-mail subscriberhelp.govdelivery.com for assistance.

This service is provided to you at no charge by the [U.S. Environmental Protection Agency](#).

STAY CONNECTED:



facebook



twitter



YouTube



flickr flickr

This email was sent to fitz.nancy@epa.gov using GovDelivery Communications Cloud on behalf of: U.S. EPA Office of Chemical Safety and Pollution Prevention · 707 17th St, Suite 4000 · Denver, CO 80202 · 1-800-439-1420



Message

From: Keaney, Kevin [Keaney.Kevin@epa.gov]
Sent: 2/9/2018 5:04:15 PM
To: Mosby, Jackie [Mosby.Jackie@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
Subject: FW: Options Selection Materials
Attachments: Options selection min age 2.9.18.pptx; DRAFT AEZ OS Presentation 2 8 2018 v2 2-9.pptx; Designated Representative Feb. 8 2018 final 2-9.pptx

Jackie – For you to forward to Rick

Kevin

From: Arling, Michelle
Sent: Friday, February 09, 2018 11:31 AM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: RE: Options Selection Materials

Kevin,

Ex. 5 Deliberative Process (DP)

I'm compressed and will be putting a floor down in our basement for the rest of the day. If you need anything urgently, call my cell phone.

Thanks,
Michelle

Michelle Arling
Human Research Ethics Review Officer
Office of Pesticide Programs (S-4248)
1200 Pennsylvania Avenue NW MC 7501P
Washington DC 20460
703-308-5891
arling.michelle@epa.gov

Message

From: Pont, Richard [Pont.Richard@epa.gov]
Sent: 1/19/2018 3:20:07 PM
To: Mosby, Jackie [Mosby.Jackie@epa.gov]
Subject: FW: Request from Ryan Jackson re: AEZ Guidance - REVISED AEZ GUIDANCE ATTACHED
Attachments: FINAL DRAFT AEZ HTC Fact Sheet 1 18 18 CLEAN .docx; FINAL DRAFT AEZ HTC Fact Sheet 1 18 18 Track Changes.docx

Importance: High

Richard Pont
Certification and Worker Protection Branch
U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

From: Pont, Richard
Sent: Thursday, January 18, 2018 2:16 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Lantz, Tracy <Lantz.Tracy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance - REVISED AEZ GUIDANCE ATTACHED
Importance: High

Rick,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Richard Pont
Certification and Worker Protection Branch
U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 12:36 PM
To: Pont, Richard <Pont.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Pont, Richard
Sent: Thursday, January 18, 2018 12:27 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Importance: High

Rick,

I will work on that and send it forward asap with the revised AEZ guidance document.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Richard Pont

Certification and Worker Protection Branch U.S. EPA, Office of Pesticide Programs

phone: 703-305-6448

email: Pont.Richard@epa.gov

<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Keigwin, Richard

Sent: Thursday, January 18, 2018 12:07 PM

To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>

Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>

Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Keaney, Kevin

Sent: Thursday, January 18, 2018 9:53 AM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>

Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>
Subject: FW: Request from Ryan Jackson re: AEZ Guidance
Importance: High

TO ALL - see is satisfies the request

Ex. 5 Deliberative Process (DP)

Let me know if you need anything else or there are any questions.

Richard Pont
Certification and Worker Protection Branch U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Parrott, Patricia
Sent: Thursday, January 18, 2018 9:03 AM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance
Importance: High

Kevin: I am teleworking today, but wanted to ensure you saw this and will respond back to Rick on when you can get this to him. Thanks.

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 8:57 AM
To: Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: Request from Ryan Jackson re: AEZ Guidance

See the request below from the Chief of Staff. How quickly can we pull this together?

-----Original Message-----

From: Jackson, Ryan
Sent: Thursday, January 18, 2018 8:14 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE:

Correct.

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 7:33 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE:

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Jackson, Ryan
Sent: Thursday, January 18, 2018 7:06 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject:

Ex. 5 Deliberative Process (DP)


Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

Message

From: Keaney, Kevin [Keaney.Kevin@epa.gov]
Sent: 2/8/2018 2:35:51 PM
To: Mosby, Jackie [Mosby.Jackie@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
Subject: ADVICE PLEASE.....FW: Request for OGC review of WPS and C&T Options Selection powerpoints
Attachments: Designated Representative Feb. 6 2018.pptx; DRAFT AEZ OS Presentation 2 8 2018 .pptx

<!--[if lte mso 15 || CheckWebRef]-->

Keaney, Kevin has shared a OneDrive for Business file with you. To view it, click the link below.

 Options selection min age 2.6.18JK.pptx

<!--[endif]-->

Advice For readability, I'm inclined to say that all the PPTs should be in the same format The one used in the minimum age PPT, with the same font as Min Age and no use of BOLD.

Kevin Keaney, Chief
Pesticide Worker Safety Programs
703-305-5557
keaney.kevin@epa.gov

Mail Address:	Courier Address:
U.S. EPA Headquarters	Potomac Yards South
1200 Pennsylvania Ave. NW	2777 Crystal Drive
Mail Code (7506P)	Room 7741
Washington DC 20460	Arlington, VA 22202

From: Davis, Kathy
Sent: Thursday, February 08, 2018 8:55 AM
To: Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: Request for OGC review of WPS and C&T Options Selection powerpoints

Hi Scott —

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks, Kathy

From: Garrison, Scott
Sent: Wednesday, February 07, 2018 4:05 PM
To: Davis, Kathy <Davis.Kathy@epa.gov>
Cc: Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>
Subject: RE: Request for you to look at updated slides for WPS and C&T Options Selection

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside EPA.

Ex. 5 Attorney Client (AC)

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

From: Davis, Kathy
Sent: Wednesday, February 07, 2018 3:53 PM
To: Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>
Subject: Request for you to look at updated slides for WPS and C&T Options Selection

Hi Scott –

We are planning to send you our powerpoint versions of the Options Selections materials, either late today or early tomorrow. Basically the information is (mostly) the same but we have been asked to send basically everything to you before the AAship reviews it.

It will be 3 documents. Let us know if you will have a chance to look them over.

Thanks, Kathy

Message

From: Keigwin, Richard [Keigwin.Richard@epa.gov]
Sent: 1/18/2018 7:50:03 PM
To: Pont, Richard [Pont.Richard@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
CC: Davis, Kathy [Davis.Kathy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Lantz, Tracy [Lantz.Tracy@epa.gov]
Subject: RE: Request from Ryan Jackson re: AEZ Guidance - REVISED AEZ GUIDANCE ATTACHED

Thanks everyone. I will get this to Nancy as quickly as possible. Thanks for everything you have been doing to move all of this so quickly. I know we don't say it enough, but I do appreciate all of your efforts.

From: Pont, Richard
Sent: Thursday, January 18, 2018 2:16 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Lantz, Tracy <Lantz.Tracy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance - REVISED AEZ GUIDANCE ATTACHED
Importance: High

Rick,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Richard Pont
Certification and Worker Protection Branch
U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 12:36 PM
To: Pont, Richard <Pont.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Pont, Richard
Sent: Thursday, January 18, 2018 12:27 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance
Importance: High

Rick,

I will work on that and send it forward asap with the revised AEZ guidance document.

Ex. 5 Deliberative Process (DP)

Richard Pont

Certification and Worker Protection Branch U.S. EPA, Office of Pesticide Programs

phone: 703-305-6448

email: Pont.Richard@epa.gov

<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Keigwin, Richard

Sent: Thursday, January 18, 2018 12:07 PM

To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>

Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>

Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Keaney, Kevin

Sent: Thursday, January 18, 2018 9:53 AM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>

Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>

Subject: FW: Request from Ryan Jackson re: AEZ Guidance

Importance: High

TO ALL - see is satisfies the request

Ex. 5 Deliberative Process (DP)

Let me know if you need anything else or there are any questions.

Richard Pont

Certification and Worker Protection Branch U.S. EPA, Office of Pesticide Programs

phone: 703-305-6448

email: Pont.Richard@epa.gov

<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Parrott, Patricia

Sent: Thursday, January 18, 2018 9:03 AM

To: Keaney, Kevin <Keaney.Kevin@epa.gov>

Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>

Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Importance: High

Kevin: I am teleworking today, but wanted to ensure you saw this and will respond back to Rick on when you can get this to him. Thanks.

-----Original Message-----

From: Keigwin, Richard

Sent: Thursday, January 18, 2018 8:57 AM

To: Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>

Subject: Request from Ryan Jackson re: AEZ Guidance

See the request below from the Chief of Staff. How quickly can we pull this together?

-----Original Message-----

From: Jackson, Ryan

Sent: Thursday, January 18, 2018 8:14 AM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>

Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE:

Correct.

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 7:33 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE:

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Jackson, Ryan
Sent: Thursday, January 18, 2018 7:06 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject:

Ex. 5 Deliberative Process (DP)

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

Message

From: Pont, Richard [Pont.Richard@epa.gov]
Sent: 1/18/2018 7:15:53 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
CC: Davis, Kathy [Davis.Kathy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Lantz, Tracy [Lantz.Tracy@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]
Subject: RE: Request from Ryan Jackson re: AEZ Guidance - REVISED AEZ GUIDANCE ATTACHED
Attachments: FINAL DRAFT AEZ HTC Fact Sheet 1 18 18 CLEAN .docx; FINAL DRAFT AEZ HTC Fact Sheet 1 18 18 Track Changes.docx
Importance: High

Rick,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Richard Pont
Certification and Worker Protection Branch
U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 12:36 PM
To: Pont, Richard <Pont.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Pont, Richard
Sent: Thursday, January 18, 2018 12:27 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance
Importance: High

Rick,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Richard Pont

Certification and Worker Protection Branch U.S. EPA, Office of Pesticide Programs

phone: 703-305-6448

email: Pont.Richard@epa.gov

<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Keigwin, Richard

Sent: Thursday, January 18, 2018 12:07 PM

To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>

Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>

Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Keaney, Kevin

Sent: Thursday, January 18, 2018 9:53 AM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>

Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>

Subject: FW: Request from Ryan Jackson re: AEZ Guidance

Importance: High

TO ALL - see is satisfies the request

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Let me know if you need anything else or there are any questions.

Richard Pont

Certification and Worker Protection Branch U.S. EPA, Office of Pesticide Programs

phone: 703-305-6448

email: Pont.Richard@epa.gov

<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Parrott, Patricia

Sent: Thursday, January 18, 2018 9:03 AM

To: Keaney, Kevin <Keaney.Kevin@epa.gov>

Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>

Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Importance: High

Kevin: I am teleworking today, but wanted to ensure you saw this and will respond back to Rick on when you can get this to him. Thanks.

-----Original Message-----

From: Keigwin, Richard

Sent: Thursday, January 18, 2018 8:57 AM

To: Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>

Subject: Request from Ryan Jackson re: AEZ Guidance

See the request below from the Chief of Staff. How quickly can we pull this together?

-----Original Message-----

From: Jackson, Ryan

Sent: Thursday, January 18, 2018 8:14 AM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>

Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>

Subject: RE:

Correct.

-----Original Message-----

From: Keigwin, Richard

Sent: Thursday, January 18, 2018 7:33 AM

To: Jackson, Ryan <jackson.ryan@epa.gov>

Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>

Subject: RE:

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Jackson, Ryan

Sent: Thursday, January 18, 2018 7:06 AM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>

Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject:

Ex. 5 Deliberative Process (DP)

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

Message

From: Keigwin, Richard [Keigwin.Richard@epa.gov]
Sent: 1/18/2018 5:35:45 PM
To: Pont, Richard [Pont.Richard@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
CC: Davis, Kathy [Davis.Kathy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]
Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Pont, Richard
Sent: Thursday, January 18, 2018 12:27 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance
Importance: High

Rick,

I will work on that and send it forward asap with the revised AEZ guidance document.

Ex. 5 Deliberative Process (DP)

Richard Pont
Certification and Worker Protection Branch U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 12:07 PM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Keaney, Kevin
Sent: Thursday, January 18, 2018 9:53 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>

Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>
Subject: FW: Request from Ryan Jackson re: AEZ Guidance
Importance: High

TO ALL - see is satisfies the request

Ex. 5 Deliberative Process (DP)

Let me know if you need anything else or there are any questions.

Richard Pont
Certification and Worker Protection Branch U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Parrott, Patricia
Sent: Thursday, January 18, 2018 9:03 AM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance
Importance: High

Kevin: I am teleworking today, but wanted to ensure you saw this and will respond back to Rick on when you can get this to him. Thanks.

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 8:57 AM
To: Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: Request from Ryan Jackson re: AEZ Guidance

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Jackson, Ryan
Sent: Thursday, January 18, 2018 8:14 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE:

Correct.

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 7:33 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE:

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Jackson, Ryan
Sent: Thursday, January 18, 2018 7:06 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject:

Ex. 5 Deliberative Process (DP)

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

Message

From: Pont, Richard [Pont.Richard@epa.gov]
Sent: 1/18/2018 5:27:24 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
CC: Davis, Kathy [Davis.Kathy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]
Subject: RE: Request from Ryan Jackson re: AEZ Guidance
Importance: High

Rick,

I will work on that and send it forward asap with the revised AEZ guidance document.

Ex. 5 Deliberative Process (DP)

Richard Pont
Certification and Worker Protection Branch
U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 12:07 PM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Keaney, Kevin
Sent: Thursday, January 18, 2018 9:53 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>
Subject: FW: Request from Ryan Jackson re: AEZ Guidance
Importance: High

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Let me know if you need anything else or there are any questions.

Richard Pont
Certification and Worker Protection Branch U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Parrott, Patricia
Sent: Thursday, January 18, 2018 9:03 AM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance
Importance: High

Kevin: I am teleworking today, but wanted to ensure you saw this and will respond back to Rick on when you can get this to him. Thanks.

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 8:57 AM
To: Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: Request from Ryan Jackson re: AEZ Guidance

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Jackson, Ryan
Sent: Thursday, January 18, 2018 8:14 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE:

Correct.

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 7:33 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE:

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Jackson, Ryan
Sent: Thursday, January 18, 2018 7:06 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject:

Ex. 5 Deliberative Process (DP)

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

Appointment

From: Davis, Kathy [Davis.Kathy@epa.gov]
Sent: 1/5/2018 3:21:32 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Kiely, Timothy [Kiely.Timothy@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Pease, Anita [Pease.Anita@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]
Subject: WPS and C&T Options Selections DRAFT
Attachments: Options Selection DR AEZ and MA draft 2 1.5.18.docx
Location: DCRoomPYS7731E/Potomac-Yard-One (DCRoomPYS7731E@epa.gov)
Start: 1/5/2018 8:00:00 PM
End: 1/5/2018 9:00:00 PM
Show Time As: Tentative

Call in number Ex. 6 Personal Privacy (PP) code Ex. 6 Personal Privacy (PP)

An updated draft is attached that corrects my formatting problems!

Message

From: Berwald, Derek [Berwald.Derek@epa.gov]
Sent: 1/4/2018 11:00:07 PM
To: Davis, Kathy [Davis.Kathy@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]
CC: Pease, Anita [Pease.Anita@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Kiely, Timothy [Kiely.Timothy@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]
Subject: RE: Worker Safety Rule NPRMs - Draft Options for Meeting Tuesday (1/9) with Senior OCSPP Management
Attachments: Options Selection DR AEZ and MA draft 1.5.18. db.docx

Kathy, my comments, in case you want to see them right away. We should send you consolidated BEAD comments, too.

db

From: Davis, Kathy
Sent: Thursday, January 04, 2018 12:54 PM
To: Berwald, Derek <Berwald.Derek@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Wyatt, TJ <Wyatt.Tj@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>
Cc: Pease, Anita <Pease.Anita@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Kiely, Timothy <Kiely.Timothy@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>
Subject: Worker Safety Rule NPRMs - Draft Options for Meeting Tuesday (1/9) with Senior OCSPP Management

The CWPB workgroup has attached an options paper for the Notice of Proposed Rulemaking on the WPS requirements for the Designated Representative, Application Exclusion Zone, and the Minimum Age (for both WPS and C&T).

Derek, Andy, and TJ, please review and add any information you have about costs and/or benefits to the draft by COB today, Thursday.

Jackie and Kevin, please give us your comments and edits, by COB today, Thursday.

Ex. 5 Deliberative Process (DP)

Kathy

Message

From: Davis, Kathy [Davis.Kathy@epa.gov]
Sent: 1/4/2018 10:01:30 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Hughes, Hayley [hughes.hayley@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]
CC: Fitz, Nancy [Fitz.Nancy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Pease, Anita [Pease.Anita@epa.gov]
Subject: FW: Worker Safety Rule NPRMs - Draft Options for Meeting Tuesday (1/9) with Senior OCSPP Management
Attachments: Options Selection DR AEZ and MA draft 1.5.18.docx

Rick,

Please find attached CWPB's draft options for the WPS and C&T NPRMs, for your review in advance of the meeting tomorrow afternoon. BEAD will provide their edits tomorrow at the meeting. We believe that FEAD management found them acceptable, as we have not received comments from Jackie or Kevin.

Kathy

From: Davis, Kathy
Sent: Thursday, January 04, 2018 12:54 PM
To: Berwald, Derek <Berwald.Derek@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Wyatt, TJ <Wyatt.Tj@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Jackie Mosby (Mosby.Jackie@epa.gov) <Mosby.Jackie@epa.gov>
Cc: Pease, Anita <Pease.Anita@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Kiely, Timothy <Kiely.Timothy@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>
Subject: Worker Safety Rule NPRMs - Draft Options for Meeting Tuesday (1/9) with Senior OCSPP Management

The CWPB workgroup has attached an options paper for the Notice of Proposed Rulemaking on the WPS requirements for the Designated Representative, Application Exclusion Zone, and the Minimum Age (for both WPS and C&T).

Ex. 5 Deliberative Process (DP)

Jackie and Kevin, please give us your comments and edits, by COB today, Thursday.

Ex. 5 Deliberative Process (DP)

Kathy

Message

From: Davis, Kathy [Davis.Kathy@epa.gov]
Sent: 1/4/2018 5:54:12 PM
To: Berwald, Derek [Berwald.Derek@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]
CC: Pease, Anita [Pease.Anita@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Kiely, Timothy [Kiely.Timothy@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]
Subject: Worker Safety Rule NPRMs - Draft Options for Meeting Tuesday (1/9) with Senior OCSPP Management
Attachments: Options Selection DR AEZ and MA draft 1.5.18.docx

The CWPB workgroup has attached an options paper for the Notice of Proposed Rulemaking on the WPS requirements for the Designated Representative, Application Exclusion Zone, and the Minimum Age (for both WPS and C&T).

Ex. 5 Deliberative Process (DP)

Jackie and Kevin, please give us your comments and edits, by COB today, Thursday.

Ex. 5 Deliberative Process (DP)

Thank you!

Kathy

Message

From: Keaney, Kevin [Keaney.Kevin@epa.gov]
Sent: 1/18/2018 2:52:38 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
CC: Davis, Kathy [Davis.Kathy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]
Subject: FW: Request from Ryan Jackson re: AEZ Guidance
Attachments: AEZ QA Fact Sheet 4-14-16.pdf; DRAFT AEZ HTC Fact Sheet for final review 1 18 2018.docx; DRAFT AEZ HTC Fact Sheet for ITRMD + RP edits to address State comments.docx; Draft AEZ QA Fact Sheet 4-1-16.docx

Importance: High

TO ALL - see is satisfies the request

Ex. 5 Deliberative Process (DP)

Let me know if you need anything else or there are any questions.

Richard Pont
Certification and Worker Protection Branch U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

-----Original Message-----

From: Parrott, Patricia
Sent: Thursday, January 18, 2018 9:03 AM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>
Cc: Davis, Kathy <Davis.Kathy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>
Subject: RE: Request from Ryan Jackson re: AEZ Guidance
Importance: High

Kevin: I am teleworking today, but wanted to ensure you saw this and will respond back to Rick on when you can get this to him. Thanks.

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 8:57 AM
To: Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: Request from Ryan Jackson re: AEZ Guidance

See the request below from the Chief of Staff. How quickly can we pull this together?

-----Original Message-----

From: Jackson, Ryan
Sent: Thursday, January 18, 2018 8:14 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE:

Correct.

-----Original Message-----

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 7:33 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>

Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE:

Ex. 5 Deliberative Process (DP)

-----Original Message-----

From: Jackson, Ryan
Sent: Thursday, January 18, 2018 7:06 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject:

Ex. 5 Deliberative Process (DP)

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

Message

From: Fitz, Nancy [Fitz.Nancy@epa.gov]
Sent: 1/2/2018 7:32:21 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Hughes, Hayley [hughes.hayley@epa.gov]; Sisco, Debby [Sisco.Debby@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Overstreet, Anne [overstreet.anne@epa.gov]
CC: Davis, Kathy [Davis.Kathy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Lantz, Tracy [Lantz.Tracy@epa.gov]
Subject: Updated WPS AEZ Guidance/Fact Sheet
Attachments: DRAFT AEZ HTC Fact Sheet 1-2-18 v4.docx; AEZ animation - general.pptx; AEZ animation - people in AEZ off establishment.pptx; Nancy Beck comments DRAFT AEZ HTC Fact Sheet 12-20-17.2.docx

Rick,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

Message

From: Parrott, Patricia [parrott.patricia@epa.gov]
Sent: 2/26/2018 3:11:38 PM
To: Keller, Kaitlin [keller.kaitlin@epa.gov]
CC: Mosby, Jackie [Mosby.Jackie@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]
Subject: Options selection meeting materials AEZ and Designated Rep
Attachments: Option Selection AEZ FINAL DRAFT 2 26 18.pptx; Option Selection Designated Rep 2 26 18 FINAL Draft.pptx

Kaitlin: Attached are the materials for tomorrow's 4:00 WPS/C&T meeting. We are still working on the Minimum Age options selection presentation, but will get that to you before COB today. Please let me know if you need anything else at this time.

Thanks.

Patricia Parrott
Senior Advisor/Homeland Security Lead
Field and External Affairs Division
Office of Pesticide Programs
US EPA (Mail Code 7506P)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone: 703 305-0744
parrott.patricia@epa.gov

Message

From: Fitz, Nancy [Fitz.Nancy@epa.gov]
Sent: 12/20/2017 7:50:15 PM
To: Keaney, Kevin [Keaney.Kevin@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Pease, Anita [Pease.Anita@epa.gov]; Kiely, Timothy [Kiely.Timothy@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Hughes, Hayley [hughes.hayley@epa.gov]
CC: Hoyt, Sarita [Hoyt.Sarita@epa.gov]; Nelson, Tomeka [Nelson.Tomeka@epa.gov]; Yarger, Ryne [Yarger.Ryne@epa.gov]
Subject: Materials for tomorrow's WPS & C&T Meeting
Attachments: WPS and Certification Rule Weekly Meeting Dec 20 2017.docx; DRAFT AEZ HTC Fact Sheet 12-20-17 .docx; AEZ animation - general.pptx; AEZ animation - people in AEZ off establishment.pptx

Rick, Jackie, Kevin and others,

Here are draft materials for tomorrow afternoon's meeting with Nancy Beck on WPS and C&T. It includes an agenda and draft AEZ guidance.

Please let us know if you have any comments and if it is okay to send to Kaitlin to share with Nancy B, Charlotte and meeting participants.

To view the PowerPoint animations, you need to run the slideshow rather than just opening the file.

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

-----Original Appointment-----

From: Beck, Nancy
Sent: Thursday, November 02, 2017 3:45 PM
To: Beck, Nancy; Keaney, Kevin; Fitz, Nancy; Davis, Kathy; Keigwin, Richard; Kasai, Jeanne; Rivera-Lupianez, Ana; Pont, Richard; Miller, Wynne; Pease, Anita; Kiely, Timothy; Wyatt, TJ; Berwald, Derek; Garrison, Scott; Perlis, Robert; Parrott, Patricia; Arling, Michelle; Dinkins, Darlene; Keller, Kaitlin; Bolen, Derrick; Mosby, Jackie; Park, Jennifer; Smith, Peterj; Hofmann, Angela; Mclean, Kevin; Lee, Andrew; Bertrand, Charlotte; Dourson, Michael; Peffers, Mel; Sands, Jeffrey; Hughes, Hayley; Richard Keigwin; Wynne Miller
Cc: Baptist, Erik; Wise, Louise; Hoyt, Sarita; Nelson, Tomeka
Subject: WPS & C&T Meeting
When: Thursday, December 21, 2017 4:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: PY-S12621; (Call in number Ex. 6 Personal Privacy (PP) access code Ex. 6 Personal Privacy (PP))

Message

From: Parrott, Patricia [parrott.patricia@epa.gov]
Sent: 2/23/2018 6:13:34 PM
To: Keaney, Kevin [Keaney.Kevin@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]
Subject: AEZ Options selection slides - first draft
Attachments: ppOption Selection AEZ FINAL DRAFT 2 23 18.pptx

Importance: High

Ex. 5 Deliberative Process (DP)

Patricia Parrott
Senior Advisor/Homeland Security Lead
Field and External Affairs Division
Office of Pesticide Programs
US EPA (Mail Code 7506P)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone: 703 305-0744
parrott.patricia@epa.gov

Message

From: Pont, Richard [Pont.Richard@epa.gov]
Sent: 2/22/2018 11:10:36 PM
To: Parrott, Patricia [parrott.patricia@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]
CC: Davis, Kathy [Davis.Kathy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]
Subject: RE: Notes on AEZ options selections slides
Attachments: Option Selection AEZ FINAL DRAFT 2 22 18.pptx

Importance: High

Kevin/Patty/Jackie/Rick:

I apologize if this should have gone elsewhere first but I wasn't sure how to proceed with review and routing for the revised AEZ presentation given the unusual circumstances of this rulemaking. And I wanted to get this to you for your consideration and review before I leave today since I am out until Tuesday and didn't know if this would be needed before my return Tuesday AM.

Ex. 5 Deliberative Process (DP)

Please let me know if you want additional revisions or have any questions.

Richard Pont
Certification and Worker Protection Branch
U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

From: Parrott, Patricia
Sent: Thursday, February 22, 2018 3:23 PM

To: Pont, Richard <Pont.Richard@epa.gov>
Subject: FW: Notes on AEZ options selections slides
Importance: High

Richard: Here are my brief notes. Not sure what else you might have obtained from the discussions yesterday.

From: Parrott, Patricia
Sent: Thursday, February 22, 2018 3:08 PM
To: Mosby, Jackie <Mosby.Jackie@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: Notes on AEZ options selections slides
Importance: High

Jackie and Kevin: Here are my draft notes.

Acknowledge that we will add comments received in reg reform to the docket and will respond to them in the final rule.

Ex. 5 Deliberative Process (DP)

Patricia Parrott
Senior Advisor/Homeland Security Lead
Field and External Affairs Division
Office of Pesticide Programs
US EPA (Mail Code 7506P)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone: 703 305-0744
parrott.patricia@epa.gov

Message

From: Keigwin, Richard [Keigwin.Richard@epa.gov]
Sent: 2/16/2018 11:05:54 AM
To: Mosby, Jackie [Mosby.Jackie@epa.gov]; Herndon, George [Herndon.George@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
CC: Keaney, Kevin [Keaney.Kevin@epa.gov]
Subject: FW: Option Selection PPTs w/OGC & BEAD inputs
Attachments: Option Selection AEZ 2 14 18 OGC FINAL.sbg.pptx

This presentation and the one on the designated representative provision can be sent to Peter Smith for distribution for the pre-Options Selection meeting.

From: Keaney, Kevin
Sent: Wednesday, February 14, 2018 10:49 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>
Subject: RE: Option Selection PPTs w/OGC & BEAD inputs

Changed re your comments

Kevin Keaney, Chief
Pesticide Worker Safety Programs
703-305-5557
keaney.kevin@epa.gov

Mail Address:	Courier Address:
U.S. EPA Headquarters	Potomac Yards South
1200 Pennsylvania Ave. NW	2777 Crystal Drive
Mail Code (7506P)	Room 7741
Washington DC 20460	Arlington, VA 22202

From: Keigwin, Richard
Sent: Wednesday, February 14, 2018 10:32 AM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>
Subject: RE: Option Selection PPTs w/OGC & BEAD inputs

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Keaney, Kevin

Sent: Wednesday, February 14, 2018 8:52 AM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>

Cc: Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>

Subject: Option Selection PPTs w/OGC & BEAD inputs

Message

From: Keaney, Kevin [Keaney.Kevin@epa.gov]
Sent: 2/1/2018 12:26:52 PM
To: Davis, Kathy [Davis.Kathy@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]
CC: Mosby, Jackie [Mosby.Jackie@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
Subject: OGC commentsW: Any comments on the options package?
Attachments: Options selection MA DR and AEZ 1.26.18.sbg.docx

Please incorporate Scott's comments Thanks

Kevin Keaney, Chief
Pesticide Worker Safety Programs
703-305-5557
keaney.kevin@epa.gov

Mail Address:	Courier Address:
U.S. EPA Headquarters	Potomac Yards South
1200 Pennsylvania Ave. NW	2777 Crystal Drive
Mail Code (7506P)	Room 7741
Washington DC 20460	Arlington, VA 22202

From: Garrison, Scott
Sent: Wednesday, January 31, 2018 4:51 PM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: RE: Any comments on the options package?

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside EPA.

Ok, here you go...

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

From: Keaney, Kevin
Sent: Wednesday, January 31, 2018 12:05 PM
To: Garrison, Scott <Garrison.Scott@epa.gov>
Subject: Any comments on the options package?

Message

From: Keaney, Kevin [Keaney.Kevin@epa.gov]
Sent: 2/14/2018 3:49:07 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Herndon, George [Herndon.George@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]
CC: Arling, Michelle [Arling.Michelle@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]
Subject: RE: Option Selection PPTs w/OGC & BEAD inputs
Attachments: Option Selection AEZ 2 14 18 OGC FINAL.sbg.pptx

Changed re your comments

Kevin Keaney, Chief
Pesticide Worker Safety Programs
703-305-5557
keaney.kevin@epa.gov

Mail Address:	Courier Address:
U.S. EPA Headquarters	Potomac Yards South
1200 Pennsylvania Ave. NW	2777 Crystal Drive
Mail Code (7506P)	Room 7741
Washington DC 20460	Arlington, VA 22202

From: Keigwin, Richard
Sent: Wednesday, February 14, 2018 10:32 AM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>
Subject: RE: Option Selection PPTs w/OGC & BEAD inputs

Ex. 5 Deliberative Process (DP)

From: Keaney, Kevin
Sent: Wednesday, February 14, 2018 8:52 AM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>
Subject: Option Selection PPTs w/OGC & BEAD inputs

Message

From: Keaney, Kevin [Keaney.Kevin@epa.gov]
Sent: 2/14/2018 1:52:04 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Herndon, George [Herndon.George@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]
CC: Arling, Michelle [Arling.Michelle@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]
Subject: Option Selection PPTs w/OGC & BEAD inputs
Attachments: Option Selection AEZ 2 14 18 OGC FINAL.sbg.pptx; Option Selection Designated Rep 2 14 18 OGC FINAL.sbg.pptx; Options selection min age 2 14 18 OGC FINAL.sbg.pptx

Message

From: Keaney, Kevin [Keaney.Kevin@epa.gov]
Sent: 2/13/2018 7:19:32 PM
To: Garrison, Scott [Garrison.Scott@epa.gov]
CC: Mosby, Jackie [Mosby.Jackie@epa.gov]
Subject: FW: Option Selection Material
Attachments: Options selection min age 2 12 18 FINAL.pptx; Option Selection AEZ 2 12 18 FINAL.pptx; Option Selection Designated Rep 2 12 18 FINAL.pptx; Options selection min age Cost - Benefit slides 2 12 18 FINAL.pptx

Scott,

Please have a look at these PPTs that have been reworked to have consistent formats. Please let me know if the reformatting created substantive changes / problems. Thanks

Kevin

Kevin Keaney, Chief
Pesticide Worker Safety Programs
703-305-5557
keaney.kevin@epa.gov

Mail Address:	Courier Address:
U.S. EPA Headquarters	Potomac Yards South
1200 Pennsylvania Ave. NW	2777 Crystal Drive
Mail Code (7506P)	Room 7741
Washington DC 20460	Arlington, VA 22202

-----Original Message-----

From: Keaney, Kevin
Sent: Tuesday, February 13, 2018 8:22 AM
To: 'MOSBY, JACKIE@EPA.GOV' <Mosby.Jackie@epa.gov>; Patricia Parrott (parrott.patricia@epa.gov) <parrott.patricia@epa.gov>; Jeff Herndon (Herndon.George@epa.gov) (Herndon.George@epa.gov) <Herndon.George@epa.gov>
Cc: 'Jeanne Kasai' <Kasai.Jeanne@epa.gov>; 'Jennifer Park' <park.jennifer@epa.gov>; 'Kathy Davis' <Davis.Kathy@epa.gov>; 'Nancy Fitz' <Fitz.Nancy@epa.gov>; 'Richard Pont' <Pont.Richard@epa.gov>; 'Rivera-Lupianez, Ana (Rivera-Lupianez.Ana@epa.gov)' <Rivera-Lupianez.Ana@epa.gov>
Subject: Option Selection Material

Message

From: Keaney, Kevin [Keaney.Kevin@epa.gov]
Sent: 2/13/2018 1:22:18 PM
To: Mosby, Jackie [Mosby.Jackie@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Herndon, George [Herndon.George@epa.gov]
CC: Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]
Subject: Option Selection Material
Attachments: Options selection min age 2 12 18 FINAL.pptx; Option Selection AEZ 2 12 18 FINAL.pptx; Option Selection Designated Rep 2 12 18 FINAL.pptx; Options selection min age Cost - Benefit slides 2 12 18 FINAL.pptx

Message

From: Keaney, Kevin [Keaney.Kevin@epa.gov]
Sent: 1/26/2018 5:45:59 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
CC: Fitz, Nancy [Fitz.Nancy@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]
Subject: FW: Options Selection Materials for OCSPP management Review
Attachments: Options selection MA DR and AEZ 1.26.18.docx

Ex. 5 Deliberative Process (DP)

Kevin Keaney, Chief
Pesticide Worker Safety Programs
703-305-5557
keaney.kevin@epa.gov

Mail Address:	Courier Address:
U.S. EPA Headquarters	Potomac Yards South
1200 Pennsylvania Ave. NW	2777 Crystal Drive
Mail Code (7506P)	Room 7741
Washington DC 20460	Arlington, VA 22202

From: Davis, Kathy
Sent: Friday, January 26, 2018 12:19 PM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>
Cc: Fitz, Nancy <Fitz.Nancy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>
Subject: Options Selection Materials for OCSPP management Review

Kevin,

Please provide any comments to us on the attached material. *The* Options Selection meeting is scheduled in ADP Tracker for 2/2/2018, but the workgroup will need at least 5 days for their review and to discuss with their management before the meeting.

Please forward as appropriate to Jackie, Patty, and Rick.

Thank you, please copy us when you send it forward.

Kathy

Message

From: Keaney, Kevin [Keaney.Kevin@epa.gov]
Sent: 9/5/2016 10:57:34 PM
To: Housenger, Jack [Housenger.Jack@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Schroeder, Carolyn [Schroeder.Carolyn@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]
Subject: Fwd: WPS Application Exclusion Zones - PowerPoint presentation (CC 16700)
Attachments: AEZ-drift-protections-SC.pptx; ATT00001.htm; AEZ-drift-protections-SC.pdf; ATT00002.htm; Class List 167000 - WPS-AEZs.pdf; ATT00003.htm

Sent from my iPhone

Begin forwarded message:

From: "Robert Bellinger" <bllngr@clemson.edu>
To: "Amber Rayfield Starnes" <arstarn@clemson.edu>, "Andrew C Warner" <awarne2@clemson.edu>, "Benjamin Powell" <BPOWEL2@clemson.edu>, "Brian Beer" <bbeer@clemson.edu>, "Bryan Smith" <wsmt@h@clemson.edu>, "Carolyn Dawson" <dawson4@clemson.edu>, "Cassie Lee Wycoff" <cwycoff@clemson.edu>, "Jay Chapin" <jchapin@clemson.edu>, "Christopher Lemaster" <clemast@clemson.edu>, "Cory Tanner" <SHANNT@clemson.edu>, "Jonathan Croft" <CROFT@clemson.edu>, "Joseph Culin" <jculin@clemson.edu>, "Alfred Crouch" <ALFREDC@clemson.edu>, "Daniel J Anco" <danco@clemson.edu>, "David Dewitt" <dewitt4@clemson.edu>, "David Jenkins (DJenkins@scfc.gov)" <DJenkins@scfc.gov>, "Charles Davis" <CDVS@clemson.edu>, "Patricia DeHond" <pdehond@clemson.edu>, "Delore K" <KDELORE@mail.clemson.edu>, "Derrick M Phinney" <dphinne@clemson.edu>, "George Dickert" <gdicker@clemson.edu>, "tdrake@clemson.edu" <tdrake@clemson.edu>, "Dukes Reid Laurie (Ldukes@ci.charlotte.nc.us)" <Ldukes@ci.charlotte.nc.us>, "Jim Faust" <JFAUST@clemson.edu>, "Gary Forrester" <gfrstr@clemson.edu>, "Tilden Galloway" <LGLLWY@clemson.edu>, "George Askew" <GASKEW@clemson.edu>, "Leslie Godfrey" <lgdfry@clemson.edu>, "Jeremy Greene" <greene4@clemson.edu>, "H Gunter" <dgunter@clemson.edu>, "Hannah Watts Mikell" <hmikell@clemson.edu>, "Richard Hassell" <rhassel@clemson.edu>, "William Heaton" <heaton2@clemson.edu>, "William Henderson" <ghndrsn@clemson.edu>, "Hernandez Cecil" <CHRNNDZ@MAIL.CLEMSON.EDU>, "James Hodges" <jmhodge@clemson.edu>, "Danny Howard" <dhoward@clemson.edu>, "Jacqueline Kopack" <jkopack@clemson.edu>, "Jacob Stokes" <stokes3@clemson.edu>, "James Blake" <JBLAKE@clemson.edu>, "Jeffrey Fellers" <fellers@clemson.edu>, "Michael Jones" <majones@clemson.edu>, "Justin Ballew" <ballew3@clemson.edu>, "Kasai, Jeanne" <Kasai.Jeanne@epa.gov>, "Keaney, Kevin" <Keaney.Kevin@epa.gov>, "Anthony Keinath" <tknth@clemson.edu>, "Laura Rose" <LROSE@clemson.edu>, "Richard Vanvlake II" <rii@clemson.edu>, "Kristin Lenox" <KLENOX@clemson.edu>, "Tammy Lark Lognion" <thghslr@clemson.edu>, "John Barnes" <jbrns@clemson.edu>, "Table, Melba" <Table.Melba@epa.gov>, "Anthony Melton" <amelton@clemson.edu>, "Arling, Michelle" <Arling.Michelle@epa.gov>, "Gilbert Miller" <gmllr@clemson.edu>, "Mitchem Wayne" <Wayne_Mitchem@ncsu.edu>, "David Parker" <dprkr@clemson.edu>, "Pont, Richard" <Pont.Richard@epa.gov>, "Christopher Ray" <cry@clemson.edu>, "Francis Reayjones" <freayjo@clemson.edu>, "Rebecca J Hellmuth" <rhellmu@clemson.edu>, "Philip Rollins"

<prollin@clermson.edu>, "Grady Sampson" <GSAMPSO@clermson.edu>, "Guido Schnabel" <SCHNABE@clermson.edu>, "Merle Shepard" <mshprd@clermson.edu>, "Simpson_Dr. William" <simpsowm@muscd.edu>, "Powell Smith" <jpsmth@clermson.edu>, "Christopher Talley" <talley2@clermson.edu>, "Tom Brant" <JBRANT@clermson.edu>, "Thomas Dobbins" <tddbns@clermson.edu>, "Travis W Mitchell" <twmitch@clermson.edu>, "Joe Varn" <JVARN@clermson.edu>, "Vicky Bertagnolli" <vbtag@clermson.edu>, "Morris Warner" <MWARNER@clermson.edu>, "Watson_Tony (53twatson@gmail.com)" <53twatson@gmail.com>, "William Joyce Hardee III" <hardee@clermson.edu>, "Joey Williamson" <jwwill@clermson.edu>, "Zachary Boone Snipes" <zbsnipe@clermson.edu>, "Geoffrey Zehnder" <zehnder@clermson.edu>, "Patricia Zungoli" <pznagl@clermson.edu>, "Fitz, Nancy" <Fitz.Nancy@epa.gov>

Subject: WPS Application Exclusion Zones - PowerPoint presentation (CC 16700)

All,

One area of change in EPA's WPS is protections for employees during pesticide applications for Outdoor Production and Enclosed Space Production. Included in the Outdoor Production protections is the new concept and requirement for 'Application Exclusion Zones'. Also new here is the requirement to 'suspend a pesticide application', if... This also applies to Enclose Space Production.

The attached PowerPoint presentation 'Application Exclusion Zone (AEZ) and Protections During Applications' was produced by the EPA. I have done some reformatting and added in some additional text and added in some graphics and South Carolina contact information. Nothing from the original EPA presentation was deleted. Tammy Lognion, DPR has granted this presentation 0.5 Core CEUs as Class 16700. Thus, find attached the

- PowerPoint slide presentation,
- a pdf version (animation does not function in the pdf), and the
- Class List (sign-up sheet) for CC 16700.

Thanks to Tammy Lognion for granting of the CEUs.

Best,

Bob B.

Robert G. (Bob) Bellinger, Ph.D.
Professor of Entomology & Extension Pesticide Coordinator;
Director, Pesticide Information Program;
Extension Pesticide Safety Education Program Coordinator;
Pest Management Information Program Coordinator;
Extension Entomologist, Specialist for Stored Grain Insect Management; Pasture & Forage Insects; Forest Insects
Teaching areas: IPM; Turfgrass Insects; Agricultural Entomology; Insecticides

Dept. of Agriculture & Environmental Sciences e-mail:
bblngr@clermson.edu <<mailto:bblngr@clermson.edu>>

130 McGinty Court
Rm 258 Poole Agriculture Center
340310, Clemson University
Clemson, SC 29634-0310

Voice: 864-656-5042, 3111
Fax: 864-656-

http://www.clemson.edu/extension/pest_ed/ - Clemson Pesticide Information Program
<http://www.clemson.edu/cafls/departments/esps/entomology/index.html> - Clemson Entomology
http://www.clemson.edu/cafls/departments/esps/faculty_staff/entomology/bellinger.html-
Bellinger Faculty Page

Message

From: Dinkins, Darlene [Dinkins.Darlene@epa.gov]
Sent: 5/17/2019 4:52:08 PM
To: Han, Kaythi [Han.Kaythi@epa.gov]
CC: Sisco, Debby [Sisco.Debby@epa.gov]; Borges-Silva, Quentin [Borges-Silva.Quentin@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Hoyt, Sarita [Hoyt.Sarita@epa.gov]; Naimy, Nina [Naimy.Nina@epa.gov]
Subject: RE: Charlotte request and question - Fwd: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Thanks Kaythi and Quentin. I'll move this along.

Darlene Dinkins

Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 305-5214

From: Han, Kaythi
Sent: Friday, May 17, 2019 10:51 AM
To: Dinkins, Darlene <Dinkins.Darlene@epa.gov>
Cc: Sisco, Debby <Sisco.Debby@epa.gov>; Borges-Silva, Quentin <Borges-Silva.Quentin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Hoyt, Sarita <Hoyt.Sarita@epa.gov>; Naimy, Nina <Naimy.Nina@epa.gov>
Subject: FW: Charlotte request and question - Fwd: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Hi Darlene,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Kaythi Han
Team Leader, Communication Services Branch
Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 305-5642 | han.kaythi@epa.gov

From: Han, Kaythi
Sent: Thursday, May 16, 2019 3:19 PM
To: Borges-Silva, Quentin <Borges-Silva.Quentin@epa.gov>
Subject: FW: Charlotte request and question - Fwd: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Hi Q,

Ex. 5 Deliberative Process (DP)

Kaythi Han
Team Leader, Communication Services Branch
Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 305-5642 | han.kaythi@epa.gov

From: Strauss, Linda
Sent: Wednesday, May 15, 2019 9:48 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Sisco, Debby <Sisco.Debby@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>
Subject: RE: Charlotte request and question - Fwd: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Thanks!!

From: Keigwin, Richard
Sent: Wednesday, May 15, 2019 5:05 AM
To: Strauss, Linda <Strauss.Linda@epa.gov>
Cc: Sisco, Debby <Sisco.Debby@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>
Subject: Re: Charlotte request and question - Fwd: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Ex. 5 Deliberative Process (DP)

Rick Keigwin
Director, Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-305-7090
Website: www.epa.gov/pesticides
Sent from my iPhone

On May 14, 2019, at 9:10 PM, Strauss, Linda <Strauss.Linda@epa.gov> wrote:

See below, and thanks in advance!

Sent from my iPhone

Begin forwarded message:

From: "Bertrand, Charlotte" <Bertrand.Charlotte@epa.gov>
Date: May 14, 2019 at 6:31:44 PM EDT
To: "Strauss, Linda" <Strauss.Linda@epa.gov>
Cc: "Dunton, Cheryl" <Dunton.Cheryl@epa.gov>
Subject: RE: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Ex. 5 Deliberative Process (DP)

From: Strauss, Linda
Sent: Tuesday, May 14, 2019 6:28 PM
To: Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>
Cc: Dunton, Cheryl <Dunton.Cheryl@epa.gov>
Subject: Re: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Release to USDA and the committees?

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

On May 14, 2019, at 6:04 PM, Bertrand, Charlotte <Bertrand.Charlotte@epa.gov> wrote:

Looks like AEZ would be at the earliest next week.

From: Smith, Peterj
Sent: Tuesday, May 14, 2019 3:53 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Tyler, Tom <Tyler.Tom@epa.gov>; Kadeli, Lek <Kadeli.Lek@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>; Tyree, JamesN <tyree.jamesn@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>
Subject: RE: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Good afternoon,

Ex. 5 Deliberative Process (DP)

Best,
Peter

NOTICE: If this electronic communication explains, justifies, or documents an official action or decision, it may be subject to federal records requirements. Federal employees should evaluate the contents of this message before deleting it.

Peter J. Smith | U.S. EPA | Office of Chemical Safety and Pollution Prevention
1200 Pennsylvania Ave., NW | Washington, DC 20460 | phone 202/564-0262 | email smith.peterj@epa.gov

From: Beck, Nancy
Sent: Tuesday, May 14, 2019 11:08 AM

To: Smith, Peterj <Smith.Peterj@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Tyler, Tom <Tyler.Tom@epa.gov>; Kadeli, Lek <Kadeli.Lek@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>; Tyree, JamesN <tyree.jamesn@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>
Subject: RE: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Yes. many thanks to FEAD!

Nancy B. Beck, Ph.D., DABT
Principal Deputy Assistant Administrator, OCSPF
P: 202-564-1273
beck.nancy@epa.gov

From: Smith, Peterj
Sent: Tuesday, May 14, 2019 11:02 AM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Tyler, Tom <Tyler.Tom@epa.gov>; Kadeli, Lek <Kadeli.Lek@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>; Tyree, JamesN <tyree.jamesn@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>
Subject: RE: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Hi Nancy,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Does this work for you?

Best,
Peter

***NOTICE:** If this electronic communication explains, justifies, or documents an official action or decision, it may be subject to federal records requirements. Federal employees should evaluate the contents of this message before deleting it.*

Peter J. Smith | U.S. EPA | Office of Chemical Safety
and Pollution Prevention
1200 Pennsylvania Ave., NW | Washington, DC 20460 | phone 202/564-0262 |
email smith.peterj@epa.gov

From: Beck, Nancy
Sent: Monday, May 13, 2019 6:53 AM
To: Smith, Peterj <Smith.Peterj@epa.gov>; Bertrand, Charlotte
<Bertrand.Charlotte@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>;
Perlis, Robert <Perlis.Robert@epa.gov>; Garrison, Scott
<Garrison.Scott@epa.gov>
Cc: Tyler, Tom <Tyler.Tom@epa.gov>; Kadeli, Lek
<Kadeli.Lek@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>;
Keller, Kaitlin <keller.kaitlin@epa.gov>; Tyree, JamesN
<tyree.jamesn@epa.gov>; Keigwin, Richard
<Keigwin.Richard@epa.gov>; Messina, Edward
<Messina.Edward@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>;
Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George
<Herndon.George@epa.gov>; Overstreet, Anne
<overstreet.anne@epa.gov>
Subject: RE: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to
Interagency Follow-up Comments on AgWPS/AEZ Amendments

Ex. 5 Deliberative Process (DP)

Thanks,
Nancy

**
Nancy B. Beck, Ph.D., DABT
Principal Deputy Assistant Administrator
Office of Chemical Safety and Pollution Prevention

P: 202-564-1273
beck.nancy@epa.gov

From: Smith, Peterj
Sent: Friday, May 10, 2019 2:53 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Tyler, Tom <Tyler.Tom@epa.gov>; Kadeli, Lek <Kadeli.Lek@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>; Tyree, JamesN <tyree.jamesn@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>
Subject: REVISED FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Hi Nancy,

Ex. 5 Deliberative Process (DP)

Best,
Peter

NOTICE: If this electronic communication explains, justifies, or documents an official action or decision, it may be subject to federal records requirements. Federal employees should evaluate the contents of this message before deleting it.

Peter J. Smith | U.S. EPA | Office of Chemical Safety and Pollution Prevention
1200 Pennsylvania Ave., NW | Washington, DC 20460 | phone 202/564-0262 | email smith.peterj@epa.gov

From: Beck, Nancy
Sent: Monday, April 29, 2019 10:06 AM

To: Smith, Peterj <Smith.Peterj@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Tyler, Tom <Tyler.Tom@epa.gov>; Kadeli, Lek <Kadeli.Lek@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>; Tyree, JamesN <tyree.jamesn@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>
Subject: RE: FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Ex. 5 Deliberative Process (DP)

Nancy B. Beck, Ph.D., DABT
Principal Deputy Assistant Administrator, OCSP
P: 202-564-1273
beck.nancy@epa.gov

From: Smith, Peterj
Sent: Friday, April 26, 2019 11:28 AM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Tyler, Tom <Tyler.Tom@epa.gov>; Kadeli, Lek <Kadeli.Lek@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>; Tyree, JamesN <tyree.jamesn@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>
Subject: FOR REVIEW AND SIGN-OFF: Draft Responses to Interagency Follow-up Comments on AgWPS/AEZ Amendments

Good morning!

Ex. 5 Deliberative Process (DP)

Best,
Peter

NOTICE: *If this electronic communication explains, justifies, or documents an official action or decision, it may be subject to federal records requirements. Federal employees should evaluate the contents of this message before deleting it.*

Peter J. Smith | U.S. EPA | Office of Chemical Safety
and Pollution Prevention
1200 Pennsylvania Ave., NW | Washington, DC 20460 | phone 202/564-0262 |
email smith.peterj@epa.gov

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 1/6/2016 11:10:11 PM
To: Parrott, Patricia [parrott.patricia@epa.gov]
Subject: FW: Documents for Briefing with Jim Tomorrow
Attachments: Recertification 01 06 16.docx; Recert private & comm (short) 01 05 16.xlsx; Private app graph 01 05 16.xlsx; Commercial app graph 01 05 16.xlsx; Application Exclusion Zone Briefing Document 01 06 16.docx; DRAFT WPS Interpretive Policy-AEZSuspendApplications 01-06-16.docx

fyi

From: Mosby, Jackie
Sent: Wednesday, January 06, 2016 6:10 PM
To: Mojica, Andrea; Dinkins, Darlene
Cc: Keaney, Kevin; Fitz, Nancy
Subject: FW: Documents for Briefing with Jim Tomorrow

Hi Andrea, Here are the materials for tomorrow's C&T meeting (@1:30) with Jim. Please let me know if you have any questions. I have run this by Jack. Jack will also be at the meeting tomorrow. Thanks, Jackie

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Ex. 6 Personal Privacy (PP) Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

From: Keaney, Kevin
Sent: Wednesday, January 06, 2016 1:46 PM
To: Mosby, Jackie
Subject: Documents for Briefing with Jim Tomorrow

Jackie,

Ex. 5 Deliberative Process (DP)

Here are the people included on the meeting invitation plus Darlene and Debby:

Jones, Jim <Jones.Jim@epa.gov>; Wise, Louise <Wise.Louise@epa.gov>; Mojica, Andrea <Mojica.andrea@epa.gov>; Sterling, Sherry <Sterling.Sherry@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Wilcoxon, Katy <Wilcoxon.Katy@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Kiely, Timothy <Kiely.Timothy@epa.gov>; Guilaran, Yu-Ting <Guilaran.Yu-Tin@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Housenger, Jack <Housenger.Jack@epa.gov>; Hogue, Joe <Hogue.Joe@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Chun, Melissa <Chun.Melissa@epa.gov>; Wyatt, TJ <Wyatt.Tj@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>

Copies will be made for everyone from OPP and about 15 additional copies.

Ex. 5 Deliberative Process (DP)

1. Recertification (4 documents)

Briefing document



Recertification 01
06 16.docx

Comparison table – current state recertification programs



Recert private &
comm (short) 01 ...

Graphs – current state recertification programs (to print, click on the graph itself first)



Private app graph
01 05 16.xlsx



Commercial app
graph 01 05 16.xl...

2. WPS – Application Exclusion Zone Issue Raised by States (2 documents)

Briefing document



Application
Exclusion Zone ...

Draft AEZ Interpretation



DRAFT WPS
Interpretive Polic...

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 1/6/2016 11:09:34 PM
To: Mojica, Andrea [Mojica.andrea@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]
CC: Keaney, Kevin [Keaney.Kevin@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]
Subject: FW: Documents for Briefing with Jim Tomorrow
Attachments: Recertification 01 06 16.docx; Recert private & comm (short) 01 05 16.xlsx; Private app graph 01 05 16.xlsx; Commercial app graph 01 05 16.xlsx; Application Exclusion Zone Briefing Document 01 06 16.docx; DRAFT WPS Interpretive Policy-AEZSuspendApplications 01-06-16.docx

Hi Andrea, Here are the materials for tomorrow's C&T meeting (@1:30) with Jim. Please let me know if you have any questions. I have run this by Jack. Jack will also be at the meeting tomorrow. Thanks, Jackie

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Ex. 6 Personal Privacy (PP) Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

From: Keaney, Kevin
Sent: Wednesday, January 06, 2016 1:46 PM
To: Mosby, Jackie
Subject: Documents for Briefing with Jim Tomorrow

Jackie,

Ex. 5 Deliberative Process (DP)

Here are the people included on the meeting invitation plus Darlene and Debby:

Jones, Jim <Jones.Jim@epa.gov>; Wise, Louise <Wise.Louise@epa.gov>; Mojica, Andrea <Mojica.andrea@epa.gov>; Sterling, Sherry <Sterling.Sherry@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Wilcoxon, Katy <Wilcoxon.Katy@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Kiely, Timothy <Kiely.Timothy@epa.gov>; Guilaran, Yu-Ting <Guilaran.Yu-Tin@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Housenger, Jack <Housenger.Jack@epa.gov>; Hogue, Joe <Hogue.Joe@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Chun, Melissa

<Chun.Melissa@epa.gov>; Wyatt, TJ <Wyatt.Tj@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>

Copies will be made for everyone from OPP and about 15 additional copies.

Ex. 5 Deliberative Process (DP)

1. Recertification (4 documents)

Briefing document



Recertification 01
06 16.docx

Comparison table – current state recertification programs



Recert private &
comm (short) 01 ...

Graphs – current state recertification programs (to print, click on the graph itself first)



Private app graph
01 05 16.xlsx



Commercial app
graph 01 05 16.xl...

2. WPS – Application Exclusion Zone Issue Raised by States (2 documents)

Briefing document



Application
Exclusion Zone ...

Draft AEZ Interpretation



DRAFT WPS
Interpretive Polic...

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 1/6/2016 10:28:35 PM
To: Fitz, Nancy [Fitz.Nancy@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Schroeder, Carolyn [Schroeder.Carolyn@epa.gov]
Subject: FW: Documents for Briefing with Jim Tomorrow on C&T and WPS (AEZ)

Do you know if these were sent to Andrea to be added to the meeting invitation?

From: Mosby, Jackie
Sent: Wednesday, January 06, 2016 2:37 PM
To: Keaney, Kevin
Subject: FW: Documents for Briefing with Jim Tomorrow on C&T and WPS (AEZ)

Kevin, Send the documents over to be added to the invitation. Jack will be attending the meeting too. Thanks,
Jackie

From: Monell, Marty
Sent: Wednesday, January 06, 2016 2:35 PM
To: Mosby, Jackie
Subject: RE: Documents for Briefing with Jim Tomorrow on C&T and WPS (AEZ)

Jack will be at this meeting as well.

From: Mosby, Jackie
Sent: Wednesday, January 06, 2016 2:11 PM
To: Housenger, Jack <Housenger.Jack@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Monell, Marty <Monell.Marty@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: FW: Documents for Briefing with Jim Tomorrow on C&T and WPS (AEZ)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please let me know if you would like to discuss. Below are the documents we would like to send over for the meeting with Jim. As soon as possible.

Thanks, Jackie

Jacqueline E. Mosby, MPH

Director, Field & External Affairs Division

Office of Pesticide Programs

U.S. Environmental Protection Agency

Phone: 703-308-2226, Ex. 6 Personal Privacy (PP) Fax: 703-305-6244

1200 Pennsylvania Avenue, N.W.

Mailstop: 7506P

Washington, DC 20460

Mosby.jackie@epa.gov

From: Keaney, Kevin

Sent: Wednesday, January 06, 2016 1:46 PM

To: Mosby, Jackie

Subject: Documents for Briefing with Jim Tomorrow

Jackie,

Ex. 5 Deliberative Process (DP)

Here are the people included on the meeting invitation plus Darlene and Debby:

Jones, Jim <Jones.Jim@epa.gov>; Wise, Louise <Wise.Louise@epa.gov>; Mojica, Andrea <Mojica.andrea@epa.gov>; Sterling, Sherry <Sterling.Sherry@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Wilcoxon, Katy <Wilcoxon.Katy@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Kiely, Timothy <Kiely.Timothy@epa.gov>; Guilaran, Yu-Ting <Guilaran.Yu-Tin@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Housenger, Jack <Housenger.Jack@epa.gov>; Hogue, Joe <Hogue.Joe@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Chun, Melissa <Chun.Melissa@epa.gov>; Wyatt, TJ <Wyatt.TJ@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>

Copies will be made for everyone from OPP and about 15 additional copies.

Ex. 5 Deliberative Process (DP)

1. Recertification (4 documents)

Briefing document

<< File: Recertification 01 06 16.docx >>

Comparison table – current state recertification programs

<< File: Recert private & comm (short) 01 05 16.xlsx >>

Graphs – current state recertification programs (to print, click on the graph itself first)

<< File: Private app graph 01 05 16.xlsx >> << File: Commercial app graph 01 05 16.xlsx >>

2. WPS – Application Exclusion Zone Issue Raised by States (2 documents)

Briefing document

<< File: Application Exclusion Zone Briefing Document 01 06 16.docx >>

Draft AEZ Interpretation

<< File: DRAFT WPS Interpretive Policy-AEZSuspendApplications 01-06-16.docx >>

Nancy Fitz

Office of Pesticide Programs

U.S. Environmental Protection Agency

phone: 703-305-7385

email: fitz.nancy@epa.gov

web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 1/6/2016 7:37:07 PM
To: Keaney, Kevin [Keaney.Kevin@epa.gov]
Subject: FW: Documents for Briefing with Jim Tomorrow on C&T and WPS (AEZ)

Kevin, Send the documents over to be added to the invitation. Jack will be attending the meeting too. Thanks,
Jackie

From: Monell, Marty
Sent: Wednesday, January 06, 2016 2:35 PM
To: Mosby, Jackie
Subject: RE: Documents for Briefing with Jim Tomorrow on C&T and WPS (AEZ)

Jack will be at this meeting as well.

From: Mosby, Jackie
Sent: Wednesday, January 06, 2016 2:11 PM
To: Housenger, Jack <Housenger.Jack@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Monell, Marty <Monell.Marty@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: FW: Documents for Briefing with Jim Tomorrow on C&T and WPS (AEZ)

Ex. 5 Deliberative Process (DP)

Please let me know if you would like to discuss. Below are the documents we would like to send over for the meeting with Jim. As soon as possible.

Thanks, Jackie

Jacqueline E. Mosby, MPH

Director, Field & External Affairs Division

Office of Pesticide Programs

U.S. Environmental Protection Agency

Phone: 703-308-2226, Ex. 6 Personal Privacy (PP) Fax: 703-305-6244

1200 Pennsylvania Avenue, N.W.

Mailstop: 7506P

Washington, DC 20460

Mosby.jackie@epa.gov

From: Keaney, Kevin

Sent: Wednesday, January 06, 2016 1:46 PM

To: Mosby, Jackie

Subject: Documents for Briefing with Jim Tomorrow

Jackie,

Ex. 5 Deliberative Process (DP)

Here are the people included on the meeting invitation plus Darlene and Debby:

Jones, Jim <Jones.Jim@epa.gov>; Wise, Louise <Wise.Louise@epa.gov>; Mojica, Andrea <Mojica.andrea@epa.gov>; Sterling, Sherry <Sterling.Sherry@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Wilcoxon, Katy <Wilcoxon.Katy@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Kiely, Timothy <Kiely.Timothy@epa.gov>; Guilaran, Yu-Ting <Guilaran.Yu-Tin@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Housenger, Jack <Housenger.Jack@epa.gov>; Hogue, Joe <Hogue.Joe@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Chun, Melissa <Chun.Melissa@epa.gov>; Wyatt, TJ <Wyatt.Tj@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>

Copies will be made for everyone from OPP and about 15 additional copies.

Ex. 5 Deliberative Process (DP)

1. Recertification (4 documents)

Briefing document

<< File: Recertification 01 06 16.docx >>

Comparison table – current state recertification programs

<< File: Recert private & comm (short) 01 05 16.xlsx >>

Graphs – current state recertification programs (to print, click on the graph itself first)

<< File: Private app graph 01 05 16.xlsx >> << File: Commercial app graph 01 05 16.xlsx >>

2. WPS – Application Exclusion Zone Issue Raised by States (2 documents)

Briefing document

<< File: Application Exclusion Zone Briefing Document 01 06 16.docx >>

Draft AEZ Interpretation

<< File: DRAFT WPS Interpretive Policy-AEZSuspendApplications 01-06-16.docx >>

Nancy Fitz

Office of Pesticide Programs

U.S. Environmental Protection Agency

phone: 703-305-7385

email: fitz.nancy@epa.gov

web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 1/6/2016 7:36:23 PM
To: Monell, Marty [Monell.Marty@epa.gov]
Subject: RE: Documents for Briefing with Jim Tomorrow on C&T and WPS (AEZ)

Good. I will send the materials ahead so Jim has them. Thanks, Jackie

From: Monell, Marty
Sent: Wednesday, January 06, 2016 2:35 PM
To: Mosby, Jackie
Subject: RE: Documents for Briefing with Jim Tomorrow on C&T and WPS (AEZ)

Jack will be at this meeting as well.

From: Mosby, Jackie
Sent: Wednesday, January 06, 2016 2:11 PM
To: Housenger, Jack <Housenger.Jack@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Monell, Marty <Monell.Marty@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: FW: Documents for Briefing with Jim Tomorrow on C&T and WPS (AEZ)

Ex. 5 Deliberative Process (DP)

Please let me know if you would like to discuss. Below are the documents we would like to send over for the meeting with Jim. As soon as possible.

Thanks, Jackie

Jacqueline E. Mosby, MPH

Director, Field & External Affairs Division

Office of Pesticide Programs

U.S. Environmental Protection Agency

Phone: 703-308-2226, Ex. 6 Personal Privacy (PP) Fax: 703-305-6244

1200 Pennsylvania Avenue, N.W.

Mailstop: 7506P

Washington, DC 20460

Mosby.jackie@epa.gov

From: Keaney, Kevin

Sent: Wednesday, January 06, 2016 1:46 PM

To: Mosby, Jackie

Subject: Documents for Briefing with Jim Tomorrow

Jackie,

Ex. 5 Deliberative Process (DP)

Here are the people included on the meeting invitation plus Darlene and Debby:

Jones, Jim <Jones.Jim@epa.gov>; Wise, Louise <Wise.Louise@epa.gov>; Mojica, Andrea <Mojica.andrea@epa.gov>; Sterling, Sherry <Sterling.Sherry@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Wilcoxon, Katy <Wilcoxon.Katy@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Kiely, Timothy <Kiely.Timothy@epa.gov>; Guilaran, Yu-Ting <Guilaran.Yu-Tin@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Housenger, Jack <Housenger.Jack@epa.gov>; Hogue, Joe <Hogue.Joe@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Chun, Melissa <Chun.Melissa@epa.gov>; Wyatt, TJ <Wyatt.Tj@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>

Copies will be made for everyone from OPP and about 15 additional copies.

Ex. 5 Deliberative Process (DP)

1. Recertification (4 documents)

Briefing document

<< File: Recertification 01 06 16.docx >>

Comparison table – current state recertification programs

<< File: Recert private & comm (short) 01 05 16.xlsx >>

Graphs – current state recertification programs (to print, click on the graph itself first)

<< File: Private app graph 01 05 16.xlsx >> << File: Commercial app graph 01 05 16.xlsx >>

2. WPS – Application Exclusion Zone Issue Raised by States (2 documents)

Briefing document

<< File: Application Exclusion Zone Briefing Document 01 06 16.docx >>

Draft AEZ Interpretation

<< File: DRAFT WPS Interpretive Policy-AEZSuspendApplications 01-06-16.docx >>

Nancy Fitz

Office of Pesticide Programs

U.S. Environmental Protection Agency

phone: 703-305-7385

email: fitz.nancy@epa.gov

web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 1/6/2016 7:10:52 PM
To: Housenger, Jack (Housenger.Jack@epa.gov) [Housenger.Jack@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]
CC: Monell, Marty (Monell.Marty@epa.gov) [Monell.Marty@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]
Subject: FW: Documents for Briefing with Jim Tomorrow on C&T and WPS (AEZ)
Attachments: Recertification 01 06 16.docx; Recert private & comm (short) 01 05 16.xlsx; Private app graph 01 05 16.xlsx; Commercial app graph 01 05 16.xlsx; Application Exclusion Zone Briefing Document 01 06 16.docx; DRAFT WPS Interpretive Policy-AEZSuspendApplications 01-06-16.docx

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please let me know if you would like to discuss. Below are the documents we would like to send over for the meeting with Jim. As soon as possible.

Thanks, Jackie
Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Ex. 6 Personal Privacy (PP) Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

From: Keaney, Kevin
Sent: Wednesday, January 06, 2016 1:46 PM
To: Mosby, Jackie
Subject: Documents for Briefing with Jim Tomorrow

Jackie,

Ex. 5 Deliberative Process (DP)

Here are the people included on the meeting invitation plus Darlene and Debby:

Jones, Jim <Jones.Jim@epa.gov>; Wise, Louise <Wise.Louise@epa.gov>; Mojica, Andrea <Mojica.andrea@epa.gov>; Sterling, Sherry <Sterling.Sherry@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Schroeder, Carolyn <Schroeder.Carolyn@epa.gov>; Arling, Michelle <Arling.Michelle@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Wilcoxon, Katy <Wilcoxon.Katy@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Kiely, Timothy <Kiely.Timothy@epa.gov>; Guilaran, Yu-Ting <Guilaran.Yu-Tin@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Housenger, Jack <Housenger.Jack@epa.gov>; Hogue, Joe <Hogue.Joe@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Chun, Melissa <Chun.Melissa@epa.gov>; Wyatt, TJ <Wyatt.Tj@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>

Copies will be made for everyone from OPP and about 15 additional copies.

Ex. 5 Deliberative Process (DP)

1. Recertification (4 documents)

Briefing document



Recertification 01
06 16.docx

Comparison table – current state recertification programs



Recert private &
comm (short) 01 ...

Graphs – current state recertification programs (to print, click on the graph itself first)



Private app graph
01 05 16.xlsx



Commercial app
graph 01 05 16.xl...

2. WPS – Application Exclusion Zone Issue Raised by States (2 documents)

Briefing document



Application
Exclusion Zone ...

Draft AEZ Interpretation



DRAFT WPS
Interpretive Polic...

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 12/4/2015 5:29:41 PM
To: Fitz, Nancy [Fitz.Nancy@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Jordan, William [Jordan.William@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]
CC: Arling, Michelle [Arling.Michelle@epa.gov]
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

I just spoke Cary about the AEZ discussion, and we will do this on Tuesday morning from 9:45-10AM. My apologies for any confusion around scheduling this topic. Thanks, Jackie

From: Fitz, Nancy
Sent: Friday, December 04, 2015 11:45 AM
To: Mosby, Jackie; Keaney, Kevin; Pont, Richard; Kasai, Jeanne; Jordan, William; Keigwin, Richard
Cc: Arling, Michelle
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jackie, Bill and Rick,

Just so you know, this topic has been added to the SFIREG agenda for Monday morning between 10:00 and 11:00. I'll be there for that discussion, which hopefully will get us more information for our internal discussion on Tuesday. Kevin is also on the agenda for other WPS topics.

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

From: Mosby, Jackie
Sent: Friday, December 04, 2015 11:40 AM
To: Fitz, Nancy <Fitz.Nancy@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

thanks

From: Fitz, Nancy
Sent: Friday, December 04, 2015 10:51 AM
To: Mosby, Jackie; Keaney, Kevin; Pont, Richard; Kasai, Jeanne
Cc: Arling, Michelle
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

I just added Rick Keigwin to the meeting.

Nancy Fitz

Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

From: Mosby, Jackie
Sent: Friday, December 04, 2015 10:07 AM
To: Fitz, Nancy <Fitz.Nancy@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Nancy, Would you also include Rick Keigwin. Thanks, Jackie

From: Fitz, Nancy
Sent: Thursday, December 03, 2015 7:35 PM
To: Mosby, Jackie; Keaney, Kevin; Pont, Richard; Kasai, Jeanne
Cc: Arling, Michelle
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jackie,

I'll set up a meeting on Tuesday when Richard, Jeanne and I are all back in the office. This is a HUGE concern of the states – and was the biggest problem they raised at the PREP course.

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

From: Mosby, Jackie
Sent: Thursday, December 03, 2015 4:43 PM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

Kevin, Let's talk about NC's concern with the WPS AEZ. Thanks, Jackie

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Cell: 202-999-9784, Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460

Mosby.jackie@epa.gov

From: Housenger, Jack
Sent: Thursday, December 03, 2015 3:08 PM
To: Mosby, Jackie; Parrott, Patricia; Keaney, Kevin
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

From: Jones, Jim
Sent: Thursday, December 03, 2015 11:37 AM
To: Housenger, Jack <Housenger.Jack@epa.gov>
Cc: Jordan, William <Jordan.William@epa.gov>
Subject: Fwd: EPA's interpretation of the WPS Application Exclusion Zones

Jack, I also got a similar note from Jack Peterson which I will forward. Jim

Sent from my iPhone

Begin forwarded message:

From: "Burnette, James" <james.burnette@ncagr.gov>
Date: December 3, 2015 at 11:35:15 AM EST
To: "Jones, Jim" <Jones.jim@epa.gov>
Cc: "Jordan, William" <Jordan.william@epa.gov>, "cmoses@agri.nv.gov" <cmoses@agri.nv.gov>, "cary.giguere@state.vt.us" <cary.giguere@state.vt.us>, "Corbett, Richard" <Corbett.Richard@epa.gov>, "Reardon, Joe W" <joe.reardon@ncagr.gov>, "Jones, Patrick" <patrick.jones@ncagr.gov>
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jim:

I hope this email finds you well and looking forward to the holidays!

Please see our attached comments on the Agency's interpretation of the new WPS Application Exclusion Zones as discussed earlier this week during the San Diego CA PREP course.

Sincerely,

Jim

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 12/4/2015 4:57:40 PM
To: Hopkins, Yvette [Hopkins.Yvette@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Schroeder, Carolyn [Schroeder.Carolyn@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]
CC: Pont, Richard [Pont.Richard@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Hutchens, Timothy [Hutchens.Timothy@epa.gov]; Zimmerman, Dea [Zimmerman.Dea@epa.gov]; Zinn, Nicole [Zinn.Nicole@epa.gov]
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones- new WPS topic from PREP

Ex. 5 Deliberative Process (DP)

Jacqueline E. Mosby, MPH

Director, Field & External Affairs Division

Office of Pesticide Programs

U.S. Environmental Protection Agency

Phone: 703-308-2226, Ex. 6 Personal Privacy (PP) Fax: 703-305-6244

1200 Pennsylvania Avenue, N.W.

Mailstop: 7506P

Washington, DC 20460

Mosby.jackie@epa.gov

From: Hopkins, Yvette
Sent: Friday, December 04, 2015 11:29 AM
To: Fitz, Nancy; Schroeder, Carolyn; Keaney, Kevin; Arling, Michelle; Kasai, Jeanne
Cc: Pont, Richard; Mosby, Jackie; Parrott, Patricia; Hutchens, Timothy; Zimmerman, Dea; Zinn, Nicole
Subject: FW: RE: EPA's interpretation of the WPS Application Exclusion Zones- new WPS topic from PREP

All,

FYI

Tim,

50 copies pls

From: Giguere, Cary [<mailto:Cary.Giguere@vermont.gov>]
Sent: Friday, December 04, 2015 11:23 AM
To: Hopkins, Yvette <Hopkins.Yvette@epa.gov>
Subject: FW: RE: EPA's interpretation of the WPS Application Exclusion Zones

From: Reed, Leo A [<mailto:reedla@purdue.edu>]
Sent: Friday, December 04, 2015 10:33 AM

To: Giguere, Cary <Cary.Giguere@vermont.gov>; Amy Bamber <aapco.sfireg@gmail.com>

Subject: FW: RE: EPA's interpretation of the WPS Application Exclusion Zones

I'm wondering if this should be on the SFIREG agenda, as opposed to Drones. This is much more pressing and impactful.

I will gladly give up that 15 minutes in order to discuss this in front of EPA management.

Just a thought.

Thanks,

Leo A. Reed

www.oisc.purdue.edu

Manager, Certification and Licensing

Office of Indiana State Chemist

175 S. University

West Lafayette, IN 47907

Phone: 765-494-1588 or 1-800-893-6637

FAX: 765-494-4331

From: Scott, David E

Sent: Thursday, December 03, 2015 4:10 PM

To: Wilkinson, Bruce (wilkinson.bruce@epa.gov); Baumgartner, Donald (baumgartner.donald@epa.gov)

Cc: Reed, Leo A; saxtong@purdue.edu; Becovitz, Joseph David; Waltz, Robert D

Subject: FW: RE: EPA's interpretation of the WPS Application Exclusion Zones

Gentlemen,

Just an FYI. Indiana very much supports the position in Jim Burnette's letter.

From: Burnette, James [<mailto:james.burnette@ncagr.gov>]

Sent: Thursday, December 03, 2015 11:38 AM

To: jpeterson@azda.gov; Scott, David E

Subject: FW: RE: EPA's interpretation of the WPS Application Exclusion Zones

I just sent this.

Jim

From: Burnette, James

Sent: Thursday, December 03, 2015 11:35 AM

To: 'Jones.jim@epa.gov' <Jones.jim@epa.gov>

Cc: 'Jordan.william@epa.gov' <Jordan.william@epa.gov>; 'cmoses@agri.nv.gov' <cmoses@agri.nv.gov>; cary.giguere@state.vt.us; 'Corbett, Richard' <Corbett.Richard@epa.gov>; Reardon, Joe W <joe.reardon@ncagr.gov>;

Jones, Patrick <patrick.jones@ncagr.gov>

Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jim:

I hope this email finds you well and looking forward to the holidays!

Please see our attached comments on the Agency's interpretation of the new WPS Application Exclusion Zones as discussed earlier this week during the San Diego CA PREP course.

Sincerely,

Jim

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 12/4/2015 4:40:05 PM
To: Fitz, Nancy [Fitz.Nancy@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]
CC: Arling, Michelle [Arling.Michelle@epa.gov]
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

thanks

From: Fitz, Nancy
Sent: Friday, December 04, 2015 10:51 AM
To: Mosby, Jackie; Keaney, Kevin; Pont, Richard; Kasai, Jeanne
Cc: Arling, Michelle
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

I just added Rick Keigwin to the meeting.

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

From: Mosby, Jackie
Sent: Friday, December 04, 2015 10:07 AM
To: Fitz, Nancy <Fitz.Nancy@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Nancy, Would you also include Rick Keigwin. Thanks, Jackie

From: Fitz, Nancy
Sent: Thursday, December 03, 2015 7:35 PM
To: Mosby, Jackie; Keaney, Kevin; Pont, Richard; Kasai, Jeanne
Cc: Arling, Michelle
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jackie,

I'll set up a meeting on Tuesday when Richard, Jeanne and I are all back in the office. This is a HUGE concern of the states — and was the biggest problem they raised at the PREP course.

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency

phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

From: Mosby, Jackie
Sent: Thursday, December 03, 2015 4:43 PM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

Kevin, Let's talk about NC's concern with the WPS AEZ. Thanks, Jackie

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Cell: 202-999-9784, Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

From: Housenger, Jack
Sent: Thursday, December 03, 2015 3:08 PM
To: Mosby, Jackie; Parrott, Patricia; Keaney, Kevin
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

From: Jones, Jim
Sent: Thursday, December 03, 2015 11:37 AM
To: Housenger, Jack <Housenger.Jack@epa.gov>
Cc: Jordan, William <Jordan.William@epa.gov>
Subject: Fwd: EPA's interpretation of the WPS Application Exclusion Zones

Jack, I also got a similar note from Jack Peterson which I will forward. Jim

Sent from my iPhone

Begin forwarded message:

From: "Burnette, James" <james.burnette@ncagr.gov>
Date: December 3, 2015 at 11:35:15 AM EST
To: "Jones, Jim" <Jones.jim@epa.gov>
Cc: "Jordan, William" <Jordan.william@epa.gov>, "cmoses@agri.nv.gov" <cmoses@agri.nv.gov>, "cary.giguere@state.vt.us" <cary.giguere@state.vt.us>, "Corbett, Richard" <Corbett.Richard@epa.gov>, "Reardon, Joe W" <joe.reardon@ncagr.gov>, "Jones, Patrick" <patrick.jones@ncagr.gov>
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jim:

I hope this email finds you well and looking forward to the holidays!

Please see our attached comments on the Agency's interpretation of the new WPS Application Exclusion Zones as discussed earlier this week during the San Diego CA PREP course.

Sincerely,

Jim

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 12/4/2015 3:16:15 PM
To: Housenger, Jack (Housenger.Jack@epa.gov) [Housenger.Jack@epa.gov]
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

Jack, As you can see from Nancy's note, this is huge concern of the states, and this has come up at the PREP course. We expect this to come up at the SFIREG meeting during the WPS session Tuesday afternoon. So we (me, Bill/Rick, Kevin, etc.) are meeting on Tuesday morning before the SFIREG discussion to get a handle on this issue. Jackie

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Cell: 202-999-9784, Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

From: Fitz, Nancy
Sent: Thursday, December 03, 2015 7:35 PM
To: Mosby, Jackie; Keaney, Kevin; Pont, Richard; Kasai, Jeanne
Cc: Arling, Michelle
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jackie,

I'll set up a meeting on Tuesday when Richard, Jeanne and I are all back in the office. This is a HUGE concern of the states – and was the biggest problem they raised at the PREP course.

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

From: Mosby, Jackie
Sent: Thursday, December 03, 2015 4:43 PM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

Kevin, Let's talk about NC's concern with the WPS AEZ. Thanks, Jackie

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Cell: 202-999-9784, Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

From: Housenger, Jack
Sent: Thursday, December 03, 2015 3:08 PM
To: Mosby, Jackie; Parrott, Patricia; Keaney, Kevin
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

From: Jones, Jim
Sent: Thursday, December 03, 2015 11:37 AM
To: Housenger, Jack <Housenger.Jack@epa.gov>
Cc: Jordan, William <Jordan.William@epa.gov>
Subject: Fwd: EPA's interpretation of the WPS Application Exclusion Zones

Jack, I also got a similar note from Jack Peterson which I will forward. Jim

Sent from my iPhone

Begin forwarded message:

From: "Burnette, James" <james.burnette@ncagr.gov>
Date: December 3, 2015 at 11:35:15 AM EST
To: "Jones, Jim" <Jones.jim@epa.gov>
Cc: "Jordan, William" <Jordan.william@epa.gov>, "cmoses@agri.nv.gov" <cmoses@agri.nv.gov>, "cary.giguere@state.vt.us" <cary.giguere@state.vt.us>, "Corbett, Richard" <Corbett.Richard@epa.gov>, "Reardon, Joe W" <joe.reardon@ncagr.gov>, "Jones, Patrick" <patrick.jones@ncagr.gov>
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jim:

I hope this email finds you well and looking forward to the holidays!

Please see our attached comments on the Agency's interpretation of the new WPS Application Exclusion Zones as discussed earlier this week during the San Diego CA PREP course.

Sincerely,

Jim

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 12/4/2015 3:07:01 PM
To: Fitz, Nancy [Fitz.Nancy@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]
CC: Arling, Michelle [Arling.Michelle@epa.gov]
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Nancy, Would you also include Rick Keigwin. Thanks, Jackie

From: Fitz, Nancy
Sent: Thursday, December 03, 2015 7:35 PM
To: Mosby, Jackie; Keaney, Kevin; Pont, Richard; Kasai, Jeanne
Cc: Arling, Michelle
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jackie,

I'll set up a meeting on Tuesday when Richard, Jeanne and I are all back in the office. This is a HUGE concern of the states – and was the biggest problem they raised at the PREP course.

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

From: Mosby, Jackie
Sent: Thursday, December 03, 2015 4:43 PM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

Kevin, Let's talk about NC's concern with the WPS AEZ. Thanks, Jackie

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Cell: 202-999-9784, Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

From: Housenger, Jack
Sent: Thursday, December 03, 2015 3:08 PM

To: Mosby, Jackie; Parrott, Patricia; Keaney, Kevin

Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

From: Jones, Jim

Sent: Thursday, December 03, 2015 11:37 AM

To: Housenger, Jack <Housenger.Jack@epa.gov>

Cc: Jordan, William <Jordan.William@epa.gov>

Subject: Fwd: EPA's interpretation of the WPS Application Exclusion Zones

Jack, I also got a similar note from Jack Peterson which I will forward. Jim

Sent from my iPhone

Begin forwarded message:

From: "Burnette, James" <james.burnette@ncagr.gov>

Date: December 3, 2015 at 11:35:15 AM EST

To: "Jones, Jim" <Jones.jim@epa.gov>

Cc: "Jordan, William" <Jordan.william@epa.gov>, "cmoses@agri.nv.gov" <cmoses@agri.nv.gov>, "cary.giguere@state.vt.us" <cary.giguere@state.vt.us>, "Corbett, Richard" <Corbett.Richard@epa.gov>, "Reardon, Joe W" <joe.reardon@ncagr.gov>, "Jones, Patrick" <patrick.jones@ncagr.gov>

Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jim:

I hope this email finds you well and looking forward to the holidays!

Please see our attached comments on the Agency's interpretation of the new WPS Application Exclusion Zones as discussed earlier this week during the San Diego CA PREP course.

Sincerely,

Jim

Message

From: Mosby, Jackie [Mosby.Jackie@epa.gov]
Sent: 12/4/2015 2:17:28 PM
To: Fitz, Nancy [Fitz.Nancy@epa.gov]
CC: Keaney, Kevin [Keaney.Kevin@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]
Subject: Re: EPA's interpretation of the WPS Application Exclusion Zones

Thanks. Yes, we need to discuss soon. Jackie

Jackie Mosby
Sent from my iPhone

On Dec 3, 2015, at 7:34 PM, Fitz, Nancy <Fitz.Nancy@epa.gov> wrote:

Jackie,

I'll set up a meeting on Tuesday when Richard, Jeanne and I are all back in the office. This is a HUGE concern of the states – and was the biggest problem they raised at the PREP course.

Nancy Fitz
Office of Pesticide Programs
U.S. Environmental Protection Agency
phone: 703-305-7385
email: fitz.nancy@epa.gov
web site: <http://www.epa.gov/pesticides/regulating/containers.htm>

From: Mosby, Jackie
Sent: Thursday, December 03, 2015 4:43 PM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

Kevin, Let's talk about NC's concern with the WPS AEZ. Thanks, Jackie

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Cell: 202-999-9784, Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

From: Housenger, Jack
Sent: Thursday, December 03, 2015 3:08 PM

To: Mosby, Jackie; Parrott, Patricia; Keaney, Kevin
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

From: Jones, Jim
Sent: Thursday, December 03, 2015 11:37 AM
To: Housenger, Jack <Housenger.Jack@epa.gov>
Cc: Jordan, William <Jordan.William@epa.gov>
Subject: Fwd: EPA's interpretation of the WPS Application Exclusion Zones

Jack, I also got a similar note from Jack Peterson which I will forward. Jim

Sent from my iPhone

Begin forwarded message:

From: "Burnette, James" <james.burnette@ncagr.gov>
Date: December 3, 2015 at 11:35:15 AM EST
To: "Jones, Jim" <jones.jim@epa.gov>
Cc: "Jordan, William" <jordan.william@epa.gov>, "cmoses@agri.nv.gov" <cmoses@agri.nv.gov>, "cary.giguere@state.vt.us" <cary.giguere@state.vt.us>, "Corbett, Richard" <Corbett.Richard@epa.gov>, "Reardon, Joe W" <joe.reardon@ncagr.gov>, "Jones, Patrick" <patrick.jones@ncagr.gov>
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jim:

I hope this email finds you well and looking forward to the holidays!

Please see our attached comments on the Agency's interpretation of the new WPS Application Exclusion Zones as discussed earlier this week during the San Diego CA PREP course.

Sincerely,

Jim

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 12/3/2015 9:43:13 PM
To: Housenger, Jack [Housenger.Jack@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

We will look into this. Jackie

From: Housenger, Jack
Sent: Thursday, December 03, 2015 3:08 PM
To: Mosby, Jackie; Parrott, Patricia; Keaney, Kevin
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

From: Jones, Jim
Sent: Thursday, December 03, 2015 11:37 AM
To: Housenger, Jack <Housenger.Jack@epa.gov>
Cc: Jordan, William <Jordan.William@epa.gov>
Subject: Fwd: EPA's interpretation of the WPS Application Exclusion Zones

Jack, I also got a similar note from Jack Peterson which I will forward. Jim

Sent from my iPhone

Begin forwarded message:

From: "Burnette, James" <james.burnette@ncagr.gov>
Date: December 3, 2015 at 11:35:15 AM EST
To: "Jones, Jim@epa.gov" <Jones.jim@epa.gov>
Cc: "Jordan, William@epa.gov" <Jordan.william@epa.gov>, "cmoses@agri.nv.gov" <cmoses@agri.nv.gov>, "cary.giguere@state.vt.us" <cary.giguere@state.vt.us>, "Corbett, Richard" <Corbett.Richard@epa.gov>, "Reardon, Joe W" <joe.reardon@ncagr.gov>, "Jones, Patrick" <patrick.jones@ncagr.gov>
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jim:

I hope this email finds you well and looking forward to the holidays!

Please see our attached comments on the Agency's interpretation of the new WPS Application Exclusion Zones as discussed earlier this week during the San Diego CA PREP course.

Sincerely,

Jim

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 12/3/2015 9:42:53 PM
To: Keaney, Kevin [Keaney.Kevin@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]
CC: Arling, Michelle [Arling.Michelle@epa.gov]
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones
Attachments: WPS AEZ Letterhead comments to EPA Assistant Administrator Jim Jones_12_4_2015.pdf; ATT00001.htm

Kevin, Let's talk about NC's concern with the WPS AEZ. Thanks, Jackie

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Cell: 202-999-9784, Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

From: Housenger, Jack
Sent: Thursday, December 03, 2015 3:08 PM
To: Mosby, Jackie; Parrott, Patricia; Keaney, Kevin
Subject: FW: EPA's interpretation of the WPS Application Exclusion Zones

From: Jones, Jim
Sent: Thursday, December 03, 2015 11:37 AM
To: Housenger, Jack <Housenger.Jack@epa.gov>
Cc: Jordan, William <Jordan.William@epa.gov>
Subject: Fwd: EPA's interpretation of the WPS Application Exclusion Zones

Jack, I also got a similar note from Jack Peterson which I will forward. Jim

Sent from my iPhone

Begin forwarded message:

From: "Burnette, James" <james.burnette@ncagr.gov>
Date: December 3, 2015 at 11:35:15 AM EST
To: "Jones, Jim" <Jones.jim@epa.gov>
Cc: "Jordan, William" <Jordan.William@epa.gov>, "cmoses@agri.nv.gov" <cmoses@agri.nv.gov>, "cary.giguere@state.vt.us" <cary.giguere@state.vt.us>, "Corbett, Richard" <Corbett.Richard@epa.gov>, "Reardon, Joe W" <joe.reardon@ncagr.gov>, "Jones, Patrick" <patrick.jones@ncagr.gov>
Subject: RE: EPA's interpretation of the WPS Application Exclusion Zones

Jim:

I hope this email finds you well and looking forward to the holidays!

Please see our attached comments on the Agency's interpretation of the new WPS Application Exclusion Zones as discussed earlier this week during the San Diego CA PREP course.

Sincerely,

Jim



Steve Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Structural Pest Control and Pesticides Division

James W. Burnette, Jr.
Director

December 4, 2015

Mr. James J. Jones
Assistant Administrator
Office of Chemical Safety and Pollution Prevention
USEPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N. W.
Mail Code: 7101 M
Washington, DC 20460

Jim:

Many of us have been following the discussion taking place at PREP this week concerning the revisions to the WPS, first with great interest and now, learning of EPA's current interpretation of parts of the standard---with even greater concern.

Our concern stems from discussion of the requirements for the newly inserted no entry Application Exclusion Zone (AEZ) of up to 100 feet surrounding application equipment and EPA's insistence/interpretation that no one can be in this area--- not a person in a car, not a person in a house across the road from a field, not someone wanting to stop the application by merely standing/parking their vehicle at the edge of the farmer's field and refusing to leave.

Since the inception of the Worker Protection Standards, which North Carolina Pesticide Board saw fit to adopt by reference as our State's standard, the intent and appropriate focus of the WPS has been prescribing measures to be taken by employers and their employees to protect workers and handlers engaged in the production of agricultural

Structural Pest Control and Pesticides Division
Structural Pest Control Section • Phone: (919) 733-6100 • FAX: (919) 733-0633
Pesticide Section • (919) 733-3556 • Fax (919) 733-9796
1090 Mail Service Center, Raleigh, North Carolina 27699-1090
www.ncagr.com/str-pest/

An Equal Opportunity Affirmative Action Employer

ED_002917_00101504-00001

plants. This has included prohibiting entry into treated areas during applications. Apparently, with the insertion of the AEZ, EPA moved far beyond this intent to prohibit not only entry during applications into "other areas"—which may include areas well beyond the property of the agricultural establishment; but now the Standard will allow persons not even in the employ of an agricultural establishment, nor having any association with the agricultural establishment—to stop critical pest management practices on that establishment, simply by refusing to leave the AEZ.

Don't get us wrong, no one suggests that any person should be exposed to pesticides, but given that with the AEZ moves the WPS from the agricultural establishment and subjects growers to unreasonable notification and performance burdens, we firmly believe this constitutes a "taking" of the growers' land. They will not be able to spray their fields if there is a house within the AEZ even if the wind is blowing away, windows closed etc.—and what if the occupants refuse to leave the premises—a very real possibility? Growers' operations can now effectively be held hostage by persons whose only interest may be to prevent pesticides from being applied.

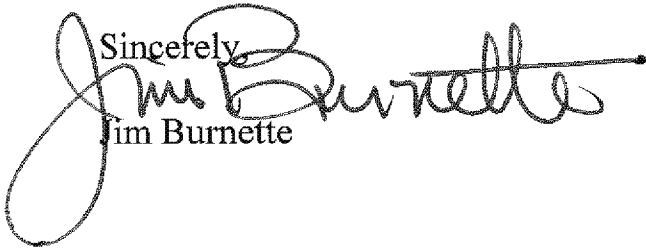
One of EPA's recommended best practices under the pollinator protection strategy is that consider applying pesticides in the evenings and when temperatures are below 55 degrees—when pollinators are not active. If a grower does this, is that grower now expected under the WPS to go to a neighboring home say, at midnight, and inform the occupants that they need to leave their residence so he can spray? Again, what if they refuse? Or, by telling them this, does the grower raise more concerns in the minds of the occupants—if I have to leave my home because of the spraying, what risks am I facing when I return? Does this seem practical; reasonable; logical?

We are equally dismayed that this AEZ was not presented as part the proposed regulations and thus was not something that the States or others were given opportunity to consider and comment on. Instead we were only asked to comment on buffer zones concept, which it was our understanding, would only be applicable up to the boundaries of the agricultural establishment, and on which we did submit comments. For EPA to have made such substantive change to the original proposal as published for public comment, without providing additional comment opportunities runs afoul of the productive performance partnerships between the SLA's and the Agency.

As I have stated, there are two major issues with the Agency's current interpretation—and ones for which we fully expect that the Agency could be challenged: 1) The Agency did not follow established and appropriate re-publication and comment procedures prior to including such a significant change; and 2) The unreasonable burdens and economic impacts upon agricultural operations and employers have not been appropriately considered or addressed, and thus, this rule amounts to an "unlawful taking."

We value our longstanding partnership with EPA, however we are greatly disappointed in the position EPA has taken on the AEZ issue, and would urge the Agency to reconsider its interpretation and provide sufficient opportunity for public comment before implementing these requirements.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Burnette". The signature is fluid and cursive, with a large loop at the beginning and a horizontal line extending to the right.

Cc:

William Jordan, Deputy Director, EPA Office of Pesticide Programs
Jordan.william@epa.gov

Chuck Moses, AAPCO President
cmoses@agri.nv.gov

Carey Guigere, SFIREG Chair
Cary.giguere@state.vt.us

Richard Corbett, EPA Region 4 Project Officer
Corbett.Richard@epa.gov

Joe Reardon, Assistant Commissioner
joe.reardon@ncagr.gov

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 2/7/2019 8:24:33 PM
To: Kasai, Jeanne [Kasai.Jeanne@epa.gov]
Subject: FW: Current Draft Revisions to WPS Rule
Attachments: 2.6.19 AgWPS Revision RPK.docx; 2.6.19 12.20 pm DRAFT TRACK CHANGES_ AgWPS-Revision_NPRM_FRdocument_AEZ RPK.DOCX; Cost Analysis AEZ 2019 02 06_wfm.docx

From: Keigwin, Richard
Sent: Wednesday, February 6, 2019 7:30 PM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>
Cc: Keller, Kaitlin <keller.kaitlin@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Layne, Arnold <Layne.Arnold@epa.gov>; Tyree, JamesN <tyree.jamesn@epa.gov>
Subject: Current Draft Revisions to WPS Rule

Ex. 5 Deliberative Process (DP)

Rick Keigwin
Director, Office of Pesticide Programs
US Environmental Protection Agency
Phone: 703-305-7090
Email: keigwin.richard@epa.gov
Visit: <https://www.epa.gov/pesticides>

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 2/9/2018 10:32:33 PM
To: Keaney, Kevin [Keaney.Kevin@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
Subject: RE: Options Selection Materials
Attachments: Designated Representative Feb. 8 2018 final 2-9.pptx; DRAFT AEZ OS Presentation 2 8 2018 v2 2-9.pptx; Options selection min age 2.9.18.pptx

Hi Kevin, Good work pulling this together. I had some comments which I included in the attached files. Please let me know if you have questions. Thanks. Jackie

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Ex. 6 Personal Privacy (PP) Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

From: Keaney, Kevin
Sent: Friday, February 9, 2018 12:04 PM
To: Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Subject: FW: Options Selection Materials

Jackie – For you to forward to Rick

Kevin

From: Arling, Michelle
Sent: Friday, February 09, 2018 11:31 AM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: RE: Options Selection Materials

Kevin,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I'm compressed and will be putting a floor down in our basement for the rest of the day. If you need anything urgently, call my cell phone.

Thanks,
Michelle

Michelle Arling
Human Research Ethics Review Officer
Office of Pesticide Programs (S-4248)
1200 Pennsylvania Avenue NW MC 7501P
Washington DC 20460
703-308-5891
arling.michelle@epa.gov

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 2/9/2018 7:38:55 PM
To: Paulette Johnson **Ex. 6 Personal Privacy (PP)**
Subject: FW: Options Selection Materials
Attachments: Options selection min age 2.9.18.pptx; DRAFT AEZ OS Presentation 2 8 2018 v2 2-9.pptx; Designated Representative Feb. 8 2018 final 2-9.pptx

Please copy these. Thanks, Jackie

From: Keaney, Kevin
Sent: Friday, February 9, 2018 12:04 PM
To: Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Subject: FW: Options Selection Materials

Jackie — For you to forward to Rick

Kevin

From: Arling, Michelle
Sent: Friday, February 09, 2018 11:31 AM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>
Subject: RE: Options Selection Materials

Kevin,

Ex. 5 Deliberative Process (DP)

I'm compressed and will be putting a floor down in our basement for the rest of the day. If you need anything urgently, call my cell phone.

Thanks,
Michelle

Michelle Arling
Human Research Ethics Review Officer
Office of Pesticide Programs (S-4248)
1200 Pennsylvania Avenue NW MC 7501P
Washington DC 20460

703-308-5891

arling.michelle@epa.gov

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 1/19/2018 3:20:56 PM
To: Pont, Richard [Pont.Richard@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]
Subject: FW: REVISED AEZ GUIDANCE
Attachments: FINAL DRAFT AEZ HTC Fact Sheet 1 18 18 CLEAN .docx; FINAL DRAFT AEZ HTC Fact Sheet 1 18 18 Track Changes.docx

Importance: High

fyi

From: Keigwin, Richard
Sent: Thursday, January 18, 2018 5:09 PM
To: Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Wise, Louise <Wise.Louise@epa.gov>
Cc: Keller, Kaitlin <keller.kaitlin@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Strauss, Linda <Strauss.Linda@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>
Subject: REVISED AEZ GUIDANCE
Importance: High

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 12/12/2017 3:55:44 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Guilaran, Yu-Ting [Guilaran.Yu-Ting@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]
Subject: Fwd: AEZ and Soil Fumigants

See the response below (bold) related to aez and fumigants.

Sent from my iPhone

Begin forwarded message:

From: "Pont, Richard" <Pont.Richard@epa.gov>
Date: December 12, 2017 at 10:49:49 AM EST
To: "Mosby, Jackie" <Mosby.Jackie@epa.gov>, "Keaney, Kevin" <Keaney.Kevin@epa.gov>
Cc: "Fitz, Nancy" <Fitz.Nancy@epa.gov>, "Parrott, Patricia" <parrott.patricia@epa.gov>, "Herndon, George" <Herndon.George@epa.gov>, "Kasai, Jeanne" <Kasai.Jeanne@epa.gov>, "Davis, Kathy" <Davis.Kathy@epa.gov>, "Park, Jennifer" <park.jennifer@epa.gov>, "Rivera-Lupianez, Ana" <Rivera-Lupianez.Ana@epa.gov>
Subject: **RE: AEZ and Soil Fumigants**

Jackie/Kevin,

Ex. 5 Deliberative Process (DP)

Please have Rick let us know if he has additional questions.

Richard Pont
Certification and Worker Protection Branch
U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

From: Mosby, Jackie

Sent: Tuesday, December 12, 2017 10:35 AM

To: Keaney, Kevin <Keaney.Kevin@epa.gov>

Cc: Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Herndon, George <Herndon.George@epa.gov>

Subject: Fwd: AEZ and Soil Fumigants

See Rick's question about Alex and fumigant.

Sent from my iPhone

Begin forwarded message:

From: "Keigwin, Richard" <Keigwin.Richard@epa.gov>

Date: December 12, 2017 at 10:29:23 AM EST

To: "Guilaran, Yu-Ting" <Guilaran.Yu-Ting@epa.gov>, "Mosby, Jackie" <Mosby.Jackie@epa.gov>, "Keaney, Kevin" <Keaney.Kevin@epa.gov>

Subject: AEZ and Soil Fumigants

What guidance do we have regarding how the AEZ provisions of the WPS intersect with the soil fumigant labels? I'm getting some questions from some of the fumigant registrants.

Rick Keigwin

Director, Office of Pesticide Programs

U.S. Environmental Protection Agency

Phone: 703-305-7090

Website: www.epa.gov/pesticides

Sent from my iPhone

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 12/21/2017 6:00:25 PM
To: Mosby, Jackie [Mosby.Jackie@epa.gov]
Subject: FW: Materials for today's WPS & C&T Meeting
Attachments: WPS and Certification Rule Weekly Meeting Dec 20 2017.docx; DRAFT AEZ HTC Fact Sheet 12-20-17 .docx; AEZ animation - general.pptx; AEZ animation - people in AEZ off establishment.pptx

From: Keigwin, Richard
Sent: Thursday, December 21, 2017 6:57 AM
To: Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Wise, Louise <Wise.Louise@epa.gov>
Cc: Keller, Kaitlin <keller.kaitlin@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>
Subject: Materials for today's WPS & C&T Meeting

Sorry for the delay. The two PowerPoints have animations. For them to run properly, you need to open the PPT file and then run the slideshow.

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 2/23/2018 6:50:14 PM
To: Parrott, Patricia [parrott.patricia@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]
Subject: RE: AEZ Options selection slides - first draft
Attachments: ppOption Selection AEZ FINAL DRAFT 2 23 18.pptx

Hi Patty, This looks good. See my comments in the attachment. Thanks, Jackie

From: Parrott, Patricia
Sent: Friday, February 23, 2018 1:14 PM
To: Keaney, Kevin <Keaney.Kevin@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>
Subject: AEZ Options selection slides - first draft
Importance: High

Ex. 5 Deliberative Process (DP)

Patricia Parrott
Senior Advisor/Homeland Security Lead
Field and External Affairs Division
Office of Pesticide Programs
US EPA (Mail Code 7506P)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone: 703 305-0744
parrott.patricia@epa.gov

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 2/21/2018 5:06:33 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]
Subject: FW: Edited Material for today's WP-CT meeting
Attachments: Option Selection AEZ 2 21 18 OGC FINAL.sbg.pptx; Options selection min age 2 21 18 OGC FINAL.sbg MA edits (002).pptx; Option Selection Designated Rep 2 21 18 OGC FINAL.sbg.pptx

Is it okay to send this to OGC? Thanks, Jackie

-----Original Message-----

From: Keaney, Kevin
Sent: Wednesday, February 21, 2018 11:45 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>; Lee, Andrew <Lee.Andrew@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>
Subject: Edited Material for today's WP-CT meeting

Ex. 5 Deliberative Process (DP)

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 2/21/2018 3:31:55 PM
To: Keaney, Kevin [Keaney.Kevin@epa.gov]
Subject: FW: Materials for Tuesday's Options Selection Pre-Brief
Attachments: Option Selection Designated Rep 2 14 18 OGC FINAL.sbg.pptx; Option Selection AEZ 2 14 18 OGC FINAL.sbg.pptx; Options selection min age 2 15 18 OGC FINAL.pptx

Hi Kevin, These are the slides Nancy, Rick were working from yesterday.

From: Keigwin, Richard
Sent: Monday, February 19, 2018 6:04 PM
To: Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Wise, Louise <Wise.Louise@epa.gov>
Cc: Keller, Kaitlin <keller.kaitlin@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>
Subject: Materials for Tuesday's Options Selection Pre-Brief

My apologies. I thought these materials were going to be provided to RCS on Friday.

Rick Keigwin
Director, Office of Pesticide Programs
US Environmental Protection Agency

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 2/20/2018 9:08:12 PM
To: Johnson, Paulette [johnson.paulette@epa.gov]
Subject: FW: Material for today's CT-WP meeting
Attachments: Options selection min age 2 14 18 OGC FINAL.sbg MA edits.pptx; Option Selection AEZ 2 14 18 OGC FINAL.sbg.pptx; Option Selection Designated Rep 2 12 18 FINAL.pptx

From: Keaney, Kevin
Sent: Tuesday, February 20, 2018 8:13 AM
To: Keller, Kaitlin <keller.kaitlin@epa.gov>
Cc: Arling, Michelle <Arling.Michelle@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>
Subject: Material for today's CT-WP meeting

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 1/26/2018 8:08:46 PM
To: Hughes, Hayley [hughes.hayley@epa.gov]
Subject: FW: Options Selection Materials for OCSPP management Review
Attachments: Options selection MA DR and AEZ 1.26.18a.docx

Importance: High

Meant to copy you too.

From: Mosby, Jackie
Sent: Friday, January 26, 2018 3:05 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Layne, Arnold <Layne.Arnold@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>
Cc: Fitz, Nancy <Fitz.Nancy@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Subject: Options Selection Materials for OCSPP management Review
Importance: High

Ex. 5 Deliberative Process (DP)

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Ex. 6 Personal Privacy (PP) Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 1/26/2018 8:05:24 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]; Layne, Arnold [Layne.Arnold@epa.gov]; Sisco, Debby [Sisco.Debby@epa.gov]
CC: Fitz, Nancy [Fitz.Nancy@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
Subject: Options Selection Materials for OCSP management Review
Attachments: Options selection MA DR and AEZ 1.26.18a.docx

Importance: High

Ex. 5 Deliberative Process (DP)

Jacqueline E. Mosby, MPH
Director, Field & External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-308-2226, Ex. 6 Personal Privacy (PP) Fax: 703-305-6244
1200 Pennsylvania Avenue, N.W.
Mailstop: 7506P
Washington, DC 20460
Mosby.jackie@epa.gov

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 2/13/2019 2:10:46 PM
To: Parrott, Patricia [parrott.patricia@epa.gov]
Subject: FW: Revised Drafts of the AEZ Proposed Rule and Cost Analysis
Attachments: Cost Analysis AEZ 2019 02 11.docx; Cost Analysis AEZ 02.06.wfm. IO 2.11.19.pdf; Clean WPS NPRM FRNotice AEZ 2.12.19 v2.docx; 2.12.19v2 DRAFT Track Changes_AgWPS-Revision_NPRM_FRdocument_AEZ_.docx; 2.6.19 AgWPS Revision RPK. IO 2.12.19.pdf

Importance: High

From: Mosby, Jackie
Sent: Wednesday, February 13, 2019 8:34 AM
To: Overstreet, Anne <overstreet.anne@epa.gov>
Cc: OPP FEAD CWPB <OPP_FEAD_CWPB@epa.gov>
Subject: FW: Revised Drafts of the AEZ Proposed Rule and Cost Analysis
Importance: High

Good morning Anne and Team, See comments from the OCSPP IO on the draft proposed rule and cost savings document. Please let me know the timing for addressing. Thanks, Jackie

From: Keigwin, Richard
Sent: Wednesday, February 13, 2019 7:22 AM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>
Cc: Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Tyree, JamesN <tyree.jamesn@epa.gov>; Layne, Arnold <Layne.Arnold@epa.gov>
Subject: Revised Drafts of the AEZ Proposed Rule and Cost Analysis
Importance: High

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Mosby, Jackie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=50CED29F4DAE40C4BF4D138728233FE1-MOSBY, JACKIE]
Sent: 2/13/2019 1:34:13 PM
To: Overstreet, Anne [overstreet.anne@epa.gov]
CC: OPP FEAD CWPB [OPP_FEAD_CWPB@epa.gov]
Subject: FW: Revised Drafts of the AEZ Proposed Rule and Cost Analysis
Attachments: Cost Analysis AEZ 2019 02 11.docx; Cost Analysis AEZ 02.06.wfm. IO 2.11.19.pdf; Clean WPS NPRM FRNotice AEZ 2.12.19 v2.docx; 2.12.19v2 DRAFT Track Changes_AgWPS-Revision_NPRM_FRdocument_AEZ_.docx; 2.6.19 AgWPS Revision RPK. IO 2.12.19.pdf

Importance: High

Good morning Anne and Team, See comments from the OCSPP IO on the draft proposed rule and cost savings document. Please let me know the timing for addressing. Thanks, Jackie

From: Keigwin, Richard
Sent: Wednesday, February 13, 2019 7:22 AM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>
Cc: Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Tyree, JamesN <tyree.jamesn@epa.gov>; Layne, Arnold <Layne.Arnold@epa.gov>
Subject: Revised Drafts of the AEZ Proposed Rule and Cost Analysis
Importance: High

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Appointment

To: Smith, Peterj [Smith.Peterj@epa.gov]; Beck, Nancy [beck.nancy@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Perlis, Robert [Perlis.Robert@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Mclean, Kevin [Mclean.Kevin@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Dourson, Michael [dourson.michael@epa.gov]; Peffers, Mel [Peffers.Mel@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Pease, Anita [Pease.Anita@epa.gov]; Kiely, Timothy [Kiely.Timothy@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Keller, Kaitlin [keller.kaitlin@epa.gov]; Bolen, Derrick [bolen.derrick@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]

CC: Baptist, Erik [baptist.erik@epa.gov]; Nelson, Tomeka [Nelson.Tomeka@epa.gov]; Wise, Louise [Wise.Louise@epa.gov]; Hoyt, Sarita [Hoyt.Sarita@epa.gov]

Attachments: Summary - Key Aspects WP & CT.DOCX; WPS and Certification Rule Weekly Meeting #3 Nov 21 2017.docx; Worker list of training topics DAA fact sheet.docx; Minimum Age Background Information v2.docx; Certification Timeline 11 15 17.pdf

Start: 11/21/2017 9:00:00 PM

End: 11/21/2017 9:30:00 PM

Recurrence: (none)

Appointment

To: Beck, Nancy [beck.nancy@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Perlis, Robert [Perlis.Robert@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Smith, Peterj [Smith.Peterj@epa.gov]; Mclean, Kevin [Mclean.Kevin@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Dourson, Michael [dourson.michael@epa.gov]; Peffers, Mel [Peffers.Mel@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Hughes, Hayley [hughes.hayley@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Pease, Anita [Pease.Anita@epa.gov]; Kiely, Timothy [Kiely.Timothy@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Keller, Kaitlin [keller.kaitlin@epa.gov]; Bolen, Derrick [bolen.derrick@epa.gov]

CC: Baptist, Erik [baptist.erik@epa.gov]; Wise, Louise [Wise.Louise@epa.gov]; Hoyt, Sarita [Hoyt.Sarita@epa.gov]; Nelson, Tomeka [Nelson.Tomeka@epa.gov]

Attachments: WPS and Certification Rule Weekly Meeting #4 Nov 28 2017.docx; Minimum Age Background Information 11 27 17.docx; AEZ Issue Paper 11 27 17.docx

Location: PY-S12100; (Call in number Ex. 6 Personal Privacy (PP) access code Ex. 6 Personal Privacy (PP))

Start: 11/28/2017 9:00:00 PM

End: 11/28/2017 9:30:00 PM

Recurrence: (none)

Appointment

To: Beck, Nancy [beck.nancy@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Pease, Anita [Pease.Anita@epa.gov]; Kiely, Timothy [Kiely.Timothy@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Perlis, Robert [Perlis.Robert@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]; Keller, Kaitlin [keller.kaitlin@epa.gov]; Bolen, Derrick [bolen.derrick@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Smith, Peterj [Smith.Peterj@epa.gov]; Hofmann, Angela [Hofmann.Angela@epa.gov]; Mclean, Kevin [Mclean.Kevin@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Peffers, Mel [Peffers.Mel@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Hughes, Hayley [hughes.hayley@epa.gov]

CC: Baptist, Erik [baptist.erik@epa.gov]; Wise, Louise [Wise.Louise@epa.gov]; Hoyt, Sarita [Hoyt.Sarita@epa.gov]; Nelson, Tomeka [Nelson.Tomeka@epa.gov]; Burke, Marcella [burke.marcella@epa.gov]; Strauss, Linda [Strauss.Linda@epa.gov]

Attachments: CLEAN DRAFT WPS Options Selection Draft 1.16.18.docx

Location: DCRoomEast3156/DC-EPA-EAST-OCSP (Call in Ex. 6 Personal Privacy (PP) access code Ex. 6 Personal Privacy (PP))

Start: 1/17/2018 7:00:00 PM

End: 1/17/2018 7:30:00 PM

Show Time As: Tentative

Recurrence: (none)

Message

From: Knott, Steven [Knott.Steven@epa.gov]
Sent: 8/16/2019 6:29:36 PM
To: Prabhu, Aditi [Prabhu.Aditi@epa.gov]; Cole, Joseph E. [cole.josephe@epa.gov]; Perlis, Robert [Perlis.Robert@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]
CC: Hughes, Hayley [hughes.hayley@epa.gov]
Subject: URGENT: Request for FIFRA SAP Review: Proposed Rule Titled "Pesticides; Agricultural Worker Protection Standard; Revision of the Application Exclusion Zone Requirements"
Attachments: 2018-07-20 Letter to FIFRA SAP.pdf; 2019-06-10 Letter to FIFRA SAP.pdf; A couple of questions.pdf; D=EPA-HQ-OPP-2017-0693-003.pdf; FIFRA Review Letter_AgWPS-AEZ NPRM_OPP to SAP_2019-07-31.pdf; FIFRA Review_AgWPS-AEZ_DraftNPRM_2019-07-10.pdf; Response from Chair 20190808.pdf; Waiver Request to OPP 20190808.pdf

All,

Given the critical timeframe we've reached, unless we receive further guidance, by **4:00 today** I will send the draft email copied below and the documents attached to this message to the 7 members of the FIFRA SAP. I will also establish a docket to contain the attached documents and draft a federal register notice for expedited publication. I'll draw from the language below and OPP's waiver request to provide background for the federal register.

As a reminder, we'll need OPP staff to provide a brief background presentation during the public teleconference. I also recommend that OPP develop a charge to the Panel.

Thanks again.

Steve

To FIFRA SAP Members,

I am sending this message, bcc, to all seven FIFRA SAP members to avoid inadvertent replies to all on the 4 supplemental ethics questions.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions.

Thanks.

Steve


Steven M. Knott, M.S.
Chemist and Executive Secretary
FIFRA Scientific Advisory Panel and
Science Advisory Committee on Chemicals
U.S. EPA Office of Science Coordination and Policy
Knott.steven@epa.gov
(202) 564-0103

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Via FedEx and E-mail

July 20, 2018

Clifford P. Weisel, Ph.D.
Environmental & Occupational Health Sciences Institute
Rutgers University


Re: *Imminent request to review draft rules to rollback crucial rules protecting farmworkers and their families from pesticides*

Dear Dr. Weisel:

We are writing to you in your role as a member of the Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA”) Scientific Advisory Panel (“SAP”). As you know, the FIFRA SAP is charged with “comment[ing] as to the impact on health and the environment” of drafts of proposed FIFRA rules. 7 U.S.C. § 136w(d)(1). We understand that the U.S. Environmental Protection Agency (EPA) will soon transmit to the SAP for your review two draft rules that propose revisions to crucial protections provided by the Agricultural Worker Protection Standard (“WPS”) and the Certification of Pesticide Applicators Rule (“CPA Rule”) (“draft rules”). The WPS and CPA rules provide vital protections from exposure to toxic pesticides for hired farmworkers, pesticide applicators, their families and the general public in communities across the country, as well as for the environment. The WPS applies to hired workers and pesticide handlers who labor in farms, fields, nurseries, greenhouses, and forests. The CPA rule governs the training and certification requirements of workers who apply Restricted Use Pesticides (“RUPs”) in a variety of settings, including homes, schools, hospitals, as well as agricultural and industrial establishments. By definition, Restricted Use Pesticides are those that EPA has determined can cause very significant harmful effects, often including death, if not handled properly. The use of RUPs is limited to individuals who are certified as competent to handle these dangerous products safely, or who work under the direct supervision of certified handlers. Under FIFRA, the FIFRA SAP may have as little as 30 days to review the draft rules and provide input to EPA¹; **it is therefore imperative that you and other members of the SAP be prepared to act quickly.**

If adopted, we believe these draft rules would seriously undermine the health and safety of farmworker families, pesticide handlers, their children, and rural communities across the country and would increase the risks to non-target plants and wildlife, including endangered and threatened species. It is essential that the FIFRA SAP meaningfully review the draft rules and

¹ Under FIFRA, the SAP technically has 60 days for review. However, EPA is only obligated to respond to the comments and publish the comments and response in the Federal Register if the SAP provides comments to EPA within 30 days of receiving the draft rule. 7 U.S.C. § 136w(d)(1), referring to § 136w(b).

provide the EPA with your best assessment of how the proposed changes could affect the health and well-being of farmworkers and their families, as well as the environment.

While FIFRA permits the SAP to waive its right to review draft pesticide regulations, **it is critical that the SAP not waive review of the draft rules.** The impacts on human health and the environment from changes to the WPS and CPA Rule must be well-understood and documented *before* EPA decides whether to finalize rules that would place farmworkers and pesticide handlers at risk of increased exposure to pesticides and make it harder for them to obtain information about the pesticides they are exposed to. If the FIFRA SAP waives review, EPA and the public will lose a key opportunity to obtain expert guidance on the potential health consequences of the draft rules.²

In particular, we ask that you: 1) conduct a full review of the draft proposed rules; 2) add this matter to the agenda of one of the SAP's public meetings; and 3) issue timely written findings on your conclusions.

Background

In late December 2017, EPA announced that it had started rulemakings to reconsider – and weaken – requirements in the WPS and the CPA Rule that were adopted during the Obama Administration. In particular, EPA announced that it plans to *repeal recently adopted safeguards* in the WPS that would:

- protect minors from having to work as pesticide handlers and/or protect them from being asked to enter recently treated fields sooner than EPA has determined would be safe to resume routine agricultural work activities;
- allow farmworkers to designate a representative to obtain important pesticide application and hazard information on their behalf, a right afforded workers in other sectors to protect their health and safety; and
- require that if a pesticide sprayer sees workers or other people around the application equipment, they should suspend the application until the unprotected person leaves the area.

EPA has also stated that it intends to weaken the recently adopted provisions in the CPA Rule that would require anyone handling RUPs and supervising handlers of RUPs to be at least 18 years old.

Why Analysis By the SAP Is Critical

As described below, EPA's draft rules appear to take a different view of how to protect farmworkers and their families from pesticides than EPA adopted less than 3 years ago when it

² We note that the EPA Science Advisory Board recently voted to review a series of controversial rules that EPA has proposed over the past eight months. They include a plan that would limit the types of scientific research that the EPA could use to justify environmental regulations, and proposals to strike down limits on greenhouse-gas emissions. Jeff Tollefson, Scientific American, *EPA Science Advisors Question "Secret Science" Rule on Data Transparency* (June 1, 2018), <https://www.scientificamerican.com/article/epa-science-advisors-question-secret-science-rule-on-data-transparency/>

updated the WPS and CPA rules. A data-driven scientific analysis of whether the Obama Administration provisions are needed to avert harm, and whether the draft rules would undermine safety, is called for. The SAP brings special expertise in fields that are directly relevant to assessing the impacts of pesticide use on humans and the environment. It has long been the responsibility and practice of the SAP to advise EPA on the best ways to assess the impacts of proposed regulatory actions, such as these rulemakings, and, inform and advise the agency when it has not adequately evaluated the impacts on the sources and types of data that would improve such assessments.

Minimum Age. The current WPS requires that workers who mix, load, or apply any pesticide on an agricultural establishment, as well as workers who perform “early-entry” work in areas where pesticides were recently applied, must be at least 18 years old. Likewise, the CPA would require states to limit the use of the most toxic pesticides, those classified as “Restricted Use,” only to people who are at least 18 years old. There are currently half a million children under the age of 18 working in agriculture, including some as young as elementary school age.³

EPA’s primary rationale for the “minimum age” safeguards, which were adopted during the Obama Administration, was that as people grow older, their judgment and decision-making skills improve, and that more mature pesticide users are likely to make fewer mistakes that would pose a danger to themselves, to other people, and to the environment. EPA cited data about other activities, such as accident rates for sixteen-year-old drivers versus eighteen-year-olds, to support its position. An additional reason for establishing a requirement in the WPS and CPA rules that people be at least eighteen to use pesticides covered by the rules was to protect these users themselves, even when they use the pesticides correctly. As you know and as EPA’s analyses have shown for hundreds of pesticides, the individuals who mix, load, and apply pesticides consistently receive much greater exposure to pesticides in terms of levels and frequency than do any other segment of the general population. Because the human nervous system continues to develop into young adulthood, EPA and public commenters argued that it would be wise to limit the potential for children to receive occupational exposure to pesticides. The agency set the minimum age at eighteen, thereby protecting children who are sixteen and seventeen years old and who are more vulnerable to effects on their nervous systems than older adults. Adopting a minimum age of eighteen for this work aligned the protections for children working in agriculture with the protections afforded to children workers in other industries. See Institute of Medicine and National Research Council. 1998. *Protecting Youth at Work: Health, Safety, and Development of Working Children and Adolescents in the United States*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/6019>.

However, with EPA’s new proposal to allow children younger than eighteen to handle pesticides, the Agency appears to have decided that the scientific and factual basis for setting a minimum age of eighteen is no longer valid. EPA’s draft rules therefore appear to pose a scientific question that needs resolution: was EPA correct in 2015 when it concluded that allowing adolescents to handle pesticides would result in risks to the teens, bystanders, and the environment that could be mitigated with a minimum age requirement? We strongly urge the

³ The minimum age requirement in both rules accounts for the needs of family-owned businesses and operators by exempting immediate family members of the owner-operator of agricultural establishments, and private or commercial pesticide applicator businesses.

SAP to consider and report on whether allowing adolescents to handle and apply pesticides poses more risk to themselves and others and to the environment than if pesticide handling were limited to adults (including to review, and assess the overwhelming evidence that was analyzed on this question in 2015).

Designated representative. EPA's proposal to eliminate the designated representative provision of the WPS also raises scientific questions that should be resolved by the FIFRA SAP. The WPS provision is similar to a requirement established over three decades ago by the Occupational Safety and Health Administration (OSHA) for employees in all other types of industries with exposure to chemicals, including pesticides. Further, this requirement applies to farmworkers' requests for information for every other chemical to which they are exposed on an agricultural facility. When EPA adopted the designated representative provision 2.5 years ago, it identified many reasons why an agricultural worker may be unable to access information about the chemicals that they are exposed to, including but not limited to educational and language barriers as well as immigration status, illness or injury. EPA noted several examples of injured farmworkers who have been denied access to safety information after injury, and we are aware of many others. If this provision is repealed it is inevitable that some farmworkers will not get information about pesticides they have been exposed to, which are critical to those providing care and remedy for related symptoms and illness, and which they would have received if they could rely on a designated representative. The EPA, by proposing the repeal, must believe that limiting farmworkers' access to critical hazard information will not impact health and safety. This poses questions of fact and science that would benefit greatly from consideration and report-out by the FIFRA SAP: Does providing workers with better access to information about hazardous substances they are using and being exposed to lead to less exposure, injury and disease and better health care? What impact would elimination of the designated representative provision have on treating physicians' or health care providers' ability to properly diagnose and treat workers exposed to pesticides? Are there data and analyses available from the experience of workers in other industries subject to the OSHA rule that could inform the assessment of EPA's proposed change?

Application exclusion zone. The application exclusion zone requires the common-sense precaution that if someone is applying pesticides and sees workers or other people around the equipment, they should try to avoid spraying them by suspending the application and resuming only after all non-trained and unprotected persons leave the area.

While EPA regulations have long prohibited applicators from spraying unprotected people, the agency adopted the application exclusion zone because EPA's analysis of pesticide poisoning incidents showed that spraying workers who were in an area being treated with pesticides was one of the most common types of incidents. EPA noted that this additional requirement filled a crucial gap because the rules then in place did not provide meaningful guidance on how applicators can prevent human exposure during applications. This is especially important because EPA does not account for workers or bystanders being sprayed with pesticides when it conducts risk assessments to determine whether to register or re-register pesticides; rather, it assumes that these exposures do not happen. Eliminating the "suspend application" mandate, or limiting its scope, raises a scientific question: what impact would modifying this requirement have on the safety of the two and a half million farmworkers who labor in this country's fields

and orchards? Since the “suspend application” mandate has been in effect during the 2018 growing season, the SAP should consider whether EPA has adequately analyzed available incident reports to evaluate the impact of its proposal to remove the requirement. An analysis by the FIFRA SAP would be extremely useful to EPA and the public.

Cost-benefit. We also encourage the SAP to examine the EPA’s analyses supporting the proposed changes to the WPS and CPA to see whether the agency has considered and appropriately used all available scientific information concerning the quantification of the benefits of the rule makings — such as studies on the problem of underreporting of pesticide incidents. The agency’s failure to do so could result in an inaccurate assessment of the potential benefits of its proposals and lead to changes to the existing rules that would unjustifiably increase risks to human health and the environment.

Conclusion

With the lives of children and families across the country at stake, we write to strongly urge you to conduct an in-depth scientific review of the health and environmental impacts of the proposed weakening of these rules on farmworkers, especially farmworkers who are under the age of 18, their families, and rural communities. For all of these reasons, we ask that you: 1) conduct a full review of the draft proposed rule modifying the WPS and CPA rules; 2) add this matter to the agenda of one of the SAP’s public meetings — either a meeting devoted exclusively to this matter or to the agenda of an upcoming meeting; and 3) issue written findings on your conclusions. We also urge you to allow remote participation in any public meeting of the SAP on these matters so that farmworkers and those providing direct medical, legal and social services to farmworkers can readily participate.

Thank you very much for your consideration.

Andrea Delgado
Legislative Director, Healthy Communities
Earthjustice

Virginia Ruiz
Director of Occupational and Environmental Health
Farmworker Justice

Mily Treviño Saucedo
Co-Director
Alianza Nacional de Campesinas

Anne Katten
Pesticide and Work Safety Project Director
California Rural Legal Assistance Foundation

Ellen Widess
Former Chief

Cal/OSHA

Jeannie Economos
Pesticide Safety and Environmental Health Project Coordinator
Farmworker Association of Florida

Amy K. Liebman
Director of Environmental and Occupational Health
Migrant Clinicians Network

Debbie Berkowitz
Senior Fellow
National Employment Law Project

David Michaels, PhD, MPH
Former Assistant Secretary of Labor for OSHA
Professor of Environmental and Occupational Health
Milken Institute School of Public Health

Ramon Ramirez
President
Pineros y Campesinos Unidos del Noroeste

Giev Kashkooli
Vice President
United Farm Workers

Diana Tellefson-Torres
Executive Director
United Farm Workers Foundation

Paola Macas Betchart,
Workers Rights Advocate
Worker Justice Center of New York

Via FedEx and E-mail

June 10, 2019

George B. Corcoran, Ph.D.
Department of Pharmacy & Health Science
Wayne State University



Re: *Imminent request to review draft regulation to roll back crucial protections from pesticides for farmworkers and their families*

Dear Dr. Corcoran:

We are writing to you in your role as a member of the Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA”) Scientific Advisory Panel (“SAP”). As you know, the FIFRA SAP is charged with “comment[ing] as to the impact on health and the environment” of drafts of proposed FIFRA rules.¹ You will soon be asked to review and comment on the impact of a draft rule rolling back the Application Exclusion Zones (“AEZ”), a provision of the Agricultural Worker Protection Standard (“WPS”) that reduces the risk of continued exposures to workers and bystanders during pesticide applications. Exposure to drift during pesticide applications is a serious and common public health problem in agricultural communities. Many attempts to address the issue in the past have failed, at great cost to the short- and long-term health of farmworkers and communities that live, learn, work, play, and pray in areas adjacent to agricultural establishments where pesticides are sprayed. Weakening the AEZ could threaten the health and safety of tens of thousands of people around the country. We therefore respectfully request that the FIFRA SAP meaningfully review the draft AEZ rollback and provide the U.S. Environmental Protection Agency (“EPA”) with your best assessment of how the proposed change could affect the health and well-being of farmworkers, their families and the communities surrounding agricultural establishments where pesticides are sprayed.²

¹ 7 U.S.C. § 136w(d)(1).

² Some of us wrote to you in July 2018 because we thought that EPA would soon transmit to the SAP two draft rules that would have proposed revisions to crucial protections provided by the WPS, a regulation that provides vital protections from exposure to toxic pesticides for hired farmworkers, their families, and the general public in communities across the country, as well as for the environment. However, as you know, EPA never sent those draft rules to the SAP. Rather, Congress took up the matter, and earlier this year, it adopted the Pesticide Registration Improvement Extension Act of 2018 (“PRIA 4”), which *prohibits EPA from enacting two of the three proposed rollbacks* prior to October 1, 2021. Pesticide Registration Improvement Extension Act of 2018 Pub. L. No. 116-8, 133 Stat. 484 (Mar. 8, 2019), <https://www.congress.gov/bill/116th-congress/senate-bill/483/text#toc-H8C99345290024FF3833B69749749D237>. However, PRIA 4 does not prohibit EPA from seeking to roll back the AEZ.

Under FIFRA, the FIFRA SAP may have as little as 30 days to review the draft rule and provide input to EPA³; **it is therefore imperative that you and other members of the SAP be prepared to act quickly.** While FIFRA permits the SAP to waive its right to review draft pesticide regulations, **it is critical that the SAP not waive review of the draft rule.** If the FIFRA SAP waives review, EPA and the public will lose a key opportunity to obtain expert guidance on the potential health consequences of the draft rule.⁴

In particular, we ask that you: 1) conduct a full review of the draft proposed rule; 2) add this matter to the agenda of one of the SAP's public meetings; and 3) issue written findings on your conclusions before your review period elapses.

What is the AEZ?

In 2015, EPA updated the WPS to provide far stronger protections against pesticide exposure for farmworkers, their families, and rural communities. One of the key provisions established the concept of “Application Exclusion Zones” to reduce the risk of continued exposures to workers and bystanders during pesticide applications. An AEZ is a relatively small (25-100-foot) area around the pesticide application equipment where no one is permitted to be when a pesticide is being sprayed. If a pesticide applicator sees a person or group of people not involved in assisting with the pesticide application within this zone, he or she must suspend the application immediately and resume after the person[s] leaves the area. The AEZ provisions establish clear guidelines for applicators to prevent immediate harm. EPA’s own analysis found that the AEZ requirement would reduce a significant portion of poisoning incidents while imposing only negligible costs on employers.⁵

Why Analysis by the SAP Is Critical

³ Under FIFRA, the SAP technically has 60 days for review. However, EPA is only obligated to respond to the comments and publish the comments and response in the Federal Register if the SAP provides comments to EPA within 30 days of receiving the draft rule. 7 U.S.C. § 136w(d)(1), referring to § 136w(a)(2)(A).

⁴ We note that the EPA Science Advisory Board voted to review a series of controversial rules that EPA has recently proposed, including a plan that would limit the types of scientific research that EPA could use to justify environmental regulations, and proposals to strike down limits on greenhouse-gas emissions. See Sean Reilly, *Advisory Panel to Review “Secret Science” Plan*, E&E News (June 6, 2019), <https://www.eenews.net/eenewspm/2019/06/06/stories/1060501795>; Rebecca Beitsch, *The Battle Over Science Roils EPA*, The Hill (June 9, 2019), <https://thehill.com/policy/energy-environment/447520-battle-over-science-roils-epa>.

⁵ *Pesticides; Agricultural Worker Protection Standard Revisions*, 80 Fed. Reg. 67,496, 67,524-5 (Nov. 2, 2015); Regulations.gov, *Economic Analysis of Agricultural Worker Protection Standard Revisions, September 2015 IN 2070-AJ22* at 88-89 (Sept. 2015), <https://www.regulations.gov/document?D=EPA-HQ-OPP-2011-0184-2522> (follow “view document” [hyperlink](#)).

When adopting the AEZ in 2015, EPA's analysis showed that incidental spraying of workers who were in an area being treated with pesticides was one of the most common types of incidents resulting in pesticide exposure. Federal and state health agencies, worker advocacy organizations, and even the news media have reported hundreds of injuries each year resulting from careless pesticide applications and drift surrounding applications and equipment. EPA noted that requiring an AEZ filled a crucial gap because the rules then in place did not provide meaningful guidance on how applicators can prevent human exposure during applications. This is especially important because EPA does not account for workers or other bystanders being sprayed with pesticides when it conducts risk assessments to determine whether to register or re-register pesticides; rather, it assumes that these exposures do not happen.

By proposing to roll back the current AEZ protections, the Trump EPA has let it be known that it will take a different approach. To determine whether EPA's new approach provides sufficient protection against the risk of toxic exposure resulting from unintentional spraying in a pesticide treatment area, a data-driven scientific analysis of whether the AEZ is needed to avert harm is called for. The SAP brings special expertise in fields that are directly relevant to assessing the impacts of pesticide use and exposure on humans and the environment. It has long been the responsibility and practice of the SAP to advise EPA on the best ways to assess the impacts of proposed regulatory actions, such as this rulemaking, and to inform and advise the Agency when it has not adequately evaluated the impacts on the sources and types of data that would improve such assessments.

Eliminating the AEZ "suspend application" mandate, or limiting its scope, raises a scientific question: what impact would modifying this requirement have on the safety of the two and a half million farmworkers who labor in this country's fields and orchards, as well as communities surrounding these agricultural communities? The SAP should consider new information about pesticide spray drift. This new information includes a recent study measuring drift and assessing how best to protect workers from exposure. See Edward J. Kasner et al., *Spray Drift from a Conventional Axial Fan Airblast Sprayer in a Modern Orchard Work Environment*, 62 *Annals of Work Exposures and Health* (2018), attached hereto as Exhibit A.

In addition, we are aware that the California Department of Pesticide Regulation ("DPR") maintains an extensive searchable database of pesticide-related illness. See California Department of Pesticide Regulation, *California Pesticide Illness Query (CalPIQ)*, <https://apps.cdpr.ca.gov/calpiq/> (last visited June 6, 2019). An analysis of reported spray drift incidents in that data base could provide valuable insights into what regulatory protections might have averted these incidents. For example, case numbers 1663-1743 from the DPR database involve 65 workers who were sickened by pesticide drift from two tractor airblasts and one aerial application of sulfur to a nearby field. The closest workers were only 30-50 feet from one of the tractor applications. Case numbers 1625-1646 from the DPR database involved fieldworkers who arrived at a vineyard to harvest grapes while pesticides were being applied to an adjacent field. The workers, 24 of whom became ill, were not informed of the ongoing application. Likewise, important information could be gleaned from careful review of a recent pesticide spray drift incident in Watsonville, California, which is too recent to be entered into the database, in which 24 employees were sickened after being contaminated with pesticides that drifted from an adjacent field. See Notice of Proposed Action from County of Santa Cruz Office of the

Agricultural Commissioner to Los Amigos Harvesting (June 1, 2018) (File No. 44171803) attached hereto as Exhibit B; Notice of Proposed Action from County of Santa Cruz Office of the Agricultural Commissioner to FMG Farm Contractor, Inc. (June 1, 2018) (File No. 44171804) attached hereto as Exhibit C; Department of Pesticide Regulation Enforcement Branch, *State of California Pesticide Episode Investigation Report* (June 29, 2017) attached hereto as Exhibit D.⁶ These incidents could provide important information about standards needed to prevent such incidents in the future. If the SAP concludes, after considering new information about pesticide spray drift, that the AEZ should be strengthened, it would be consistent with the SAP's mandate to share that information with EPA and the public.

While these incidents provide important insights that bear further analysis, it is important to be aware that, unlike California, many states, including many agricultural states, do not have a comprehensive searchable database of pesticide health-related illness incidents, and specific agriculture related pesticide exposure incidents are not always so identified or characterized. Moreover, to the extent any state maintains such a database, it only contains information on incidents of pesticide exposure that are reported. However, such incidents are vastly under-reported, for multiple reasons, not the least of which are: 1) the fear of retaliation that most farmworkers and rural communities have should they report such incidents; and 2) the lack of training and knowledge by health care providers of the signs and symptoms and the reporting requirements of pesticide-related illness. See Geoffrey M. Calvert et al., *Acute Pesticide Poisoning Among Agricultural Workers in the United States, 1998 – 2005*, 51 Am. Journal of Indus. Med. 883, 894-95 (2008) (discussing reasons why agricultural workers are deterred from seeking health care and why health care professionals misdiagnose acute pesticide poisonings).

We also encourage the SAP to examine EPA's analyses supporting the proposed changes to the AEZ to see whether the Agency has considered and appropriately used all available scientific information concerning the quantification of the benefits of the rulemaking — such as studies on the problem of underreporting of pesticide incidents. Pesticide exposure and pesticide-related illness is a public health issue with economic and social consequences that are not always quantified, but which do have an impact, not only on individuals and families, but on communities, locales and even state resources. The Agency's failure to conduct such an analysis could result in an inaccurate assessment of the potential benefits of its proposals and lead to changes to the existing rule that would unjustifiably increase risks to human health and the environment.

Conclusion

With the lives of children and families across the country at stake, we write to strongly urge you to conduct an in-depth scientific review of the health and environmental impacts on farmworkers, their families, and rural communities resulting from the proposed weakening of the WPS. In particular, we ask that you: 1) conduct a full review of the draft proposed rule modifying the WPS to eliminate the AEZ; 2) add this matter to the agenda of one of the SAP's

⁶ For more about this incident, please see Ted Goldberg, *Workers in Central Coast Pesticide Drift Tied to Dole, Driscoll's Were Sick for Days*, KQED News (July 5, 2018), <https://www.kqed.org/news/11678534/workers-in-central-coast-pesticide-drift-tied-to-dole-driscolls-were-sick-for-days>.

public meetings — either a meeting devoted exclusively to this matter or to the agenda of an upcoming meeting; 3) solicit input directly from farmworkers on the effectiveness of the AEZ; and 4) issue written findings on your conclusions. We also urge you to allow remote participation in any public meeting of the SAP on these matters and to notify stakeholder communities so that farmworkers and those providing direct medical, legal, and social services to farmworkers can readily participate.

Thank you very much for your consideration.

Eve C. Gartner and Carrie Apfel
Staff Attorneys
Earthjustice

Virginia Ruiz
Director of Occupational and Environmental Health
Farmworker Justice

Jeannie Economos
Pesticide Safety and Environmental Health Project Coordinator
Farmworker Association of Florida

Anne Katten
Pesticide and Work Safety Project Director
California Rural Legal Assistance Foundation

Amy K. Liebman
Director of Environmental and Occupational Health
Migrant Clinicians Network

Linda A. McCauley RN, PhD, FAAN, FAAOHN
Dean and Professor
Nell Hodgson Woodruff School of Nursing Emory University

David Michaels, PhD, MPH
Former Assistant Secretary of Labor for OSHA
Professor of Environmental and Occupational Health
Milken Institute School of Public Health

Richard Fenske, PhD, MPH
Professor and Associate Chair
Department of Environmental and Occupational Health Sciences
University of Washington School of Public Health

Edward Kasner, PhD, MPH
Outreach Director, Pacific Northwest Agricultural Safety and Health Center (Facebook; Twitter)
Research Scientist, Environmental and Occupational Health Sciences

University of Washington School of Public Health

Thomas A. Arcury, PhD
Professor, Department of Family and Community Medicine Director, Center for Worker Health
Wake Forest School of Medicine

Sara A. Quandt, PhD
Professor, Department of Epidemiology and Prevention, Division of Public Health Sciences
Wake Forest School of Medicine

Nolan Kline, PhD, MPH, CPH
Assistant Professor, Department of Anthropology
Co-Coordinator, Global Health Program
Rollins College

Ellen Widess
Former Chief
Cal/OSHA

Debbie Berkowitz
Senior Fellow
National Employment Law Project

Mily Treviño Saucedo
Executive Director
Alianza Nacional de Campesinas

Reyna Lopez
Executive Director
Pineros y Campesinos Unidos del Noroeste

Giev Kashkooli
Vice President
United Farm Workers

Diana Tellefson-Torres
Executive Director
United Farm Workers Foundation

Exhibit A

Original Article

Spray Drift from a Conventional Axial Fan Airblast Sprayer in a Modern Orchard Work Environment

Edward J. Kasner^{1,*}, Richard A. Fenske¹, Gwen A. Hoheisel², Kit Galvin¹,
Magali N. Blanco¹, Edmund Y. W. Seto¹ and Michael G. Yost¹

¹Department of Environmental and Occupational Health Sciences, University of Washington School of Public Health, Seattle, WA, USA; ²College of Agricultural, Human, and Natural Resource Sciences, Area Extension Education, Washington State University, Prosser, WA, USA

*Author to whom correspondence should be addressed. Tel: +1-206-897-1560; e-mail: ejkasner@uw.edu

Submitted 7 February 2018; revised 13 August 2018; editorial decision 21 August 2018; revised version accepted 4 September 2018.

Abstract

Pesticide spray drift represents an important cause of crop damage and farmworker illness, especially among orchard workers. We drew upon exposure characteristics from known human illness cases to design a series of six spray trials that measured drift from a conventional axial fan airblast sprayer operating in a modern orchard work environment. Polyester line drift samples ($n = 270$; 45 per trial) were suspended on 15 vertical masts downwind of foliar applications of zinc, molybdenum, and copper micronutrient tracers. Samples were analyzed using inductively coupled plasma mass spectrometry and resulting masses were normalized by sprayer tank mix concentration to create tracer-based drift volume levels. Mixed-effects modeling described these levels in the context of spatial variability and buffers designed to protect workers from drift exposure. Field-based measurements showed evidence of drift up to 52 m downwind, which is approximately 1.7 times greater than the 30 m (100 ft) 'Application Exclusion Zone' defined for airblast sprayers by the United States Environmental Protection Agency Worker Protection Standard. When stratified by near (5 m), mid (26 m), and far (52 m) distances, geometric means and standard deviations for drift levels were 257 (1.8), 52 (2.0), and 20 (2.3) μL , respectively. Fixed effect model coefficients showed that higher wind speed [0.53; 95% confidence interval (CI): 0.35, 0.70] and sampling height (0.16; 95% CI: 0.11, 0.20) were positively associated with drift; increasing downwind distance (-0.05 ; 95% CI: -0.06 , -0.04) was negatively associated with drift. Random effects showed large within-location variability, but relatively few systematic changes for individual locations across spray trials after accounting for wind speed, height, and distance. Our study findings demonstrate that buffers may offer drift exposure protection to orchard workers from airblast spraying. Variables such as orchard architecture, sampling height, and wind speed should be included in the evaluation and mitigation of risks from drift exposure. Data from our study may prove useful for estimating potential exposure and validating orchard-based bystander exposure models.

Keywords: airblast sprayer; application exclusion zone; drift; exposure assessment—mixed models; orchard; passive sampling; pesticide exposure; pesticide spraying

Introduction

Spray drift is described as the off-target movement of droplets, irrespective of active ingredient, during or shortly after the time of pesticide application (Drewes et al., 1990; USEPA, 1990; Miller, 2014). Spray drift—hereafter referred to as ‘drift’ and distinct from movement by volatilization or windborne dust particles—represents an important cause of crop damage and farmworker illness resulting from agricultural applications (Felsot et al., 2010; Lee et al., 2011). It is a public health concern in the Pacific Northwest, especially among orchard workers (WADOH, 2013; WADOH, 2017). We drew upon exposure characteristics from known human illness cases to design a series of spray trials that measured drift from a conventional axial fan airblast (AFA) sprayer operating in a modern orchard. Our trials placed a grid of field targets in an orchard work environment during a simulated drift event, an incident when one or more humans are exposed to pesticide drift (Lee et al., 2011).

Method of application, droplet size, and meteorological conditions are key factors that influence drift (Murray and Vaughan, 1970; Thistle, 2004; Felsot et al., 2010; USEPA, 2016a). The AFA sprayer has been a standard tool for tree fruit pesticide application since its rapid and wide scale adoption in the 1950s (Fox et al., 2008; Matthews et al., 2014a). Over time, orchard management practices have greatly reduced tree height and canopy volume. As a result, conventional AFA output no longer matches modern canopies and thereby increases drift potential (Landers, 2011; Cross et al., 2013). Spraying finer droplets promotes good crop coverage, but it competes with the need for coarser droplets that reduce drift potential (ASABE, 2013). At a release height of 3 m, coarse droplets typically settle out within seconds due to gravitational force (deposition drift), whereas fine droplets can remain suspended for minutes or hours and be carried greater distances by the wind (airborne drift) (Matthews et al., 2014b; Miller, 2014). The deposition fraction of drift can be collected on horizontal surfaces by gravitational settling and the airborne fraction can be collected on vertical surfaces by interception or impaction (Hinds, 1999). Meteorological conditions modify the effect of droplet size and release height on drift potential. Higher wind speeds result in more drift at greater distances (Nuyttens et al., 2005). Larger fluctuations in wind direction increase the unpredictability of

droplet travel direction and the amount of dilution due to atmospheric turbulence (Thistle, 2004).

Regulatory agencies attempt to protect pollinators, sensitive crops, bodies of water, and humans by mitigating drift using the above factors. Some pesticide labels specify acceptable wind speeds or buffer zones during application (USEPA, 2001; LERAP, 2002; De Schampheleire et al., 2007; EFSA, 2014). In the UK, aquatic buffer requirements vary by sprayer type, applied dose, and the presence of windbreaks (LERAP, 2002). In the USA, the federal Worker Protection Standard (WPS) includes an ‘Application Exclusion Zone’ (AEZ), a buffer that moves with active application equipment that ‘must be free of all persons other than appropriately trained and equipped handlers’ (USEPA, 2016b). An AEZ of 30 meters (m) or 100 feet (ft) is required for aerial, airblast, fumigant, smoke, mist, and fog applications and also for any other application methods that produce droplets having a volume median diameter less than 294 microns (USEPA, 2016b).

A growing body of research about sampling techniques (Donkersely and Nuyttens, 2011), spray mass balance (Jensen and Olesen, 2014), and experimental spray trials (Holterman et al., 2017) indicates sustained interest in characterizing orchard drift. Foliar application of elements (i.e. micronutrients) has long been recognized as a means for crop nutrition (Boynton, 1954; WSU, 2017a). Conveniently, experimental trials can be designed to apply multiple metal salt solutions to a single field sample, recovered through acid extraction, and then analyzed in a sensitive inductively coupled plasma mass spectrometry (ICP-MS) procedure (Foqué et al., 2014). For example, micronutrient tracers have been used in previous orchard-based drift field studies (Travis et al., 1985; Murray et al., 2000). Databases of such field studies are being developed to model orchard drift (Bonds et al., 2016; Holterman et al., 2017), including bystander exposure (Cunha et al., 2012; Van de Zande et al., 2014; Kennedy and Butler Ellis, 2017). Two models—the Bystander and Resident Exposure Assessment Model (BREAM) and Bystanders, Residents, Operators, and WorkerS Exposure (BROWSE)—were created to improve regulatory drift exposure and risk assessment in the European Union (Butler Ellis et al., 2010; Butler Ellis et al., 2017a,b). BROWSE model developers have called for more orchard-based experiments to support a wider range of drift distances, better describe the relationship

between airborne spray and bystander exposure, and provide data for model validation (Butler Ellis et al., 2017a).

Volunteers and mannequins have been used in drift studies to estimate potential dermal exposure by measuring deposits on coveralls (Butler Ellis et al., 2010; Butler Ellis et al., 2014). Such studies have addressed crucial components of human exposure, including collection efficiency (Butler Ellis et al., 2018). Yet, spatiotemporal aspects of orchard work environments known to result in drift-related illnesses have not been evaluated. For example, Calvert et al. (2015) describe a scenario in which an airblast application to pear trees drifted on 20 workers who were tying branches of cherry trees at distances from 9 to >107 m (30 to >350 ft) away. Orchard drift sampling usually occurs in flat areas downwind of one or a few sprayer passes, but no studies have simulated longer spray periods with sampling in downwind tree canopies more representative of orchard worker exposure scenarios.

The purpose of this study was to characterize the magnitude and spatial variability of drift levels in an orchard work environment during longer spray periods. Our secondary goals were: (i) to evaluate drift in the context of buffers designed to prevent bystander exposure and (ii) to develop methods for comparing the drift potential of different application technologies in future studies.

Methods

Figure 1 provides an overview of our methods. Briefly, three micronutrient tracers—zinc (Zn), molybdenum (Mo), and copper (Cu)—were applied by an AFA sprayer to the same 0.4 hectare (1 acre) orchard block of trees at full canopy on 6 days: 1–2 July 2015; 10 June, 2016; and 28–30 September 2016. Each spray trial, which consisted of one tracer application to the block on a single day, involved the downwind collection of drift samples on two different matrices suspended from 6 m vertical masts. Samples were analyzed for metals in a laboratory and then used to build a mixed-effects model.

All field studies took place at a Washington State University (WSU) research orchard situated in a river valley that oriented the wind prevailing from the north (Supplementary Figure S1 in the Supplementary Material, available at *Annals of Work Exposures and Health* online). Three varieties of apple trees were planted in rows along a north–south axis, trained to trellises, and had columnar-shaped canopies that reached approximately 3.5 m (11.5 ft) tall (Supplementary Figures S2–S3 in the Supplementary Material, available at *Annals of Work Exposures and Health* online). The study site was bordered by open flat land to the north, other orchard blocks to the east and south, and a small private service road with no traffic to the west.

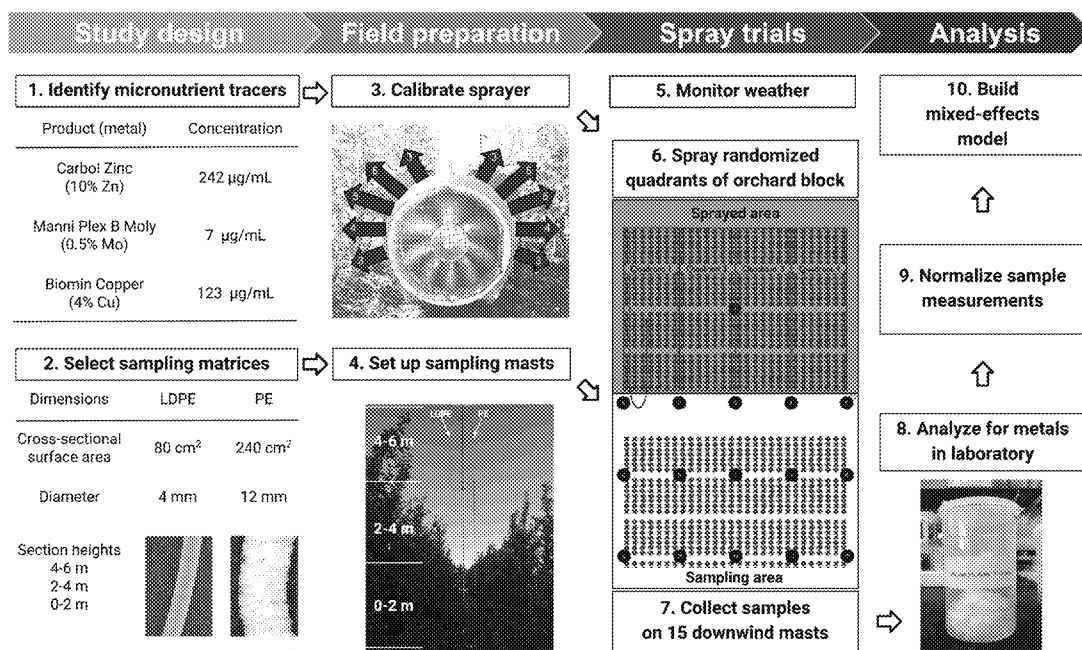


Figure 1. Overview of methods used in study. Drift levels were measured with passive sampling matrices consisting of low-density polyethylene (LDPE) and polyester (PE) lines.

Study design

Micronutrient tracers

Our trials utilized the efficiency of applying multiple metal salt solutions to a single target by adapting micronutrient tracer field sampling methods described by Cross et al. (2001a) and ICP-MS lab methods described by Zabkiewicz et al. (2008). Before each trial, the sprayer tank was flushed with cleaner (sodium tripolyphosphate and sodium carbonate) and then triple-rinsed. The certified applicator mixed, loaded, and applied label-recommended concentrations for one of three water soluble micronutrient product mixes: *Carbol™ Zinc* (10% Zn; 2.5 ml/l; 32 oz/100 gal), *Manni-Plex® B Moly* (0.5% Mo; 1.3 ml/l; 16 oz/100 gal), and *Bioimin® Copper* (4% Cu; 2.5 ml/l; 32 oz/100 gal). The sprayer tank was allowed to mechanically agitate for at least 5 minutes (min) until the solution was thoroughly mixed. Bulk tank mix and water source samples were collected in 180 ml (6 oz) polyethylene containers before spraying began.

Sampling matrices

Two different matrices were deployed to compare their relative drift sampling strengths: low-density polyethylene (LDPE) line for its uniform surface area and polyester (PE) line for having a high collection efficiency similar to pipe cleaners (Gilbert and Bell, 1988; Miller et al., 1989; Davis et al., 1993; Miller, 2014). The LDPE line was tubing with an outer diameter of 4 mm (0.16 in) (*Dynalon*; Rochester, NY; product #1248). The PE line was PE pile with wireless cotton core and a diameter of 12 mm (0.47 in) (*Hewitt and Booth*; Huddersfield, UK). We used pairwise scatter plots to investigate whether PE lines captured higher drift levels than LDPE lines after adjusting for cross sectional area.

Field preparation

Sprayer calibration

An AFA sprayer (*Rears Pak-Blast-100*) was calibrated to apply a liquid volume of 935 l/ha (100 gal/ac), which is commonly listed on pesticide labels as a volume per area goal for tree fruit applications. Expected volume output was calculated using parameters for orchard row width (3 m; 10 ft); tree spacing (0.9 m; 3 ft); tractor speed (1.3 m/s; 3.0 mph); boom type (curved); system operating pressure (14 bar; 205 psi); and nozzle type (steel, hollow cone, *TeeJet*), number (10), size (two D3, two D4, four D5, all with 25 cores), and arrangement (Hoheisel, 2016; Turbo-Mist, 2017). The field team calibrated tractor speed and sprayer system pressure, inserted new stainless steel nozzles, adjusted sprayer airflow direction into the tree canopy, and compared expected versus observed nozzle volumetric flow rates to ensure accurate

nozzle output (Hoheisel, 2016). Nozzle and pressure settings were used to find theoretical droplet sizes, which were 110–125 µm and fit into the ‘fine’ droplet classification category (ASABE, 2013; TeeJet, 2014). The sprayer was outfitted with a global positioning system to verify the sprayer route and spray start and stop times to the nearest minute for each quadrant.

Sampling masts

Fifteen 6 m (20 ft) vertical target masts were set up between tree rows in a sampling area that was downwind of the area to be sprayed. Each mast had collocated LDPE and PE line matrices suspended in a vertical plane with crossbars at 2, 4, and 6 m (Supplementary Figure S4 in the Supplementary Material, available at *Annals of Work Exposures and Health* online).

Spray trials

Weather conditions

Local meteorological measurements followed applicable protocols from the American Society of Agricultural and Biological Engineers (ASABE) and the International Organization for Standardization (ISO) (ASABE, 2004; ISO, 2005). Wind speed, wind direction, air temperature, and relative humidity were recorded at two locations on opposite sides of the study site.

A permanent on-site station (WSU AgWeatherNet) was located approximately 70 m (230 ft) west of the nearest corner of the sprayed block with instruments that were approximately 2 m (about 6 ft) above the ground. Data were collected with a 0.2 Hz sampling frequency by a data logger (*Campbell Scientific CR-1000*; Logan, UT), processed as 15-min averages, and downloaded from an online portal (Pierce and Elliott, 2008; WSU, 2015). The wind speed sensor (*Met One Model 014A*; Grants Pass, OR) was a three-cup anemometer. The wind direction sensor (*Met One Model 024A*; Grants Pass, OR) was a wind vane that reported one of eight categories [four cardinal (N-E-S-W) and four ordinal (NE-SE-SW-NW)]. Temperature and relative humidity (*Campbell Scientific Rotronic HC2S3 Model 107*; Logan, UT) data were also available (WSU, 2015; WSU, 2017b).

A second, temporary station was placed approximately 190 m (623 ft) northeast of the nearest corner of the sprayed block. Data were collected with a 0.1 Hz sampling frequency by a data logger (*Campbell Scientific CR-1000*; Logan, UT), processed as 1-min averages, and downloaded to a laptop. Measurements were taken at two different heights. At 3 m (10 ft), there was a three-cup anemometer with a wind vane (*Met One Model 034B*; Grants Pass, OR) and temperature probe (*Campbell Scientific Model 109*; Logan, UT). At

10 m (33 ft), there was a three-axis ultrasonic anemometer (RM Young Model 81000V; Traverse City, MI) and a temperature and relative humidity probe (Campbell Scientific Model HMP45C-L; Logan, UT). The temporary meteorological station measured wind direction in azimuth degrees.

Only spray trials that met ISO meteorological data quality standards for drift sampling were included: samples were replicated at least three times in similar wind conditions, wind speeds were at least 1.0 m/s (2.2 mph), mean wind direction was at $90^\circ \pm 30^\circ$ to the downwind edge of the sprayed area (i.e. wind rose direction $\geq 330^\circ$ or $\leq 30^\circ$), and temperatures were 5–35°C (41–95°F) (ISO, 2005).

Randomized quadrant spraying

Application start timing decisions were based on the most recent 15-min average meteorological measurements for wind speed, wind direction, and temperature. A block of 28 tree rows was divided into four quadrants of approximately seven rows each (Fig. 2). Quadrant spray order was randomized to mitigate the effect of changing environmental conditions across spray trials. A certified applicator sprayed each row in serpentine fashion with nozzles open on both sides of the sprayer as it traveled between every row. Nozzles were turned off during turns. The outward facing half of outside rows was not sprayed.

Sample collection

We followed applicable ISO drift sampling guidelines by establishing a coordinate reference system with an array of samples, measuring all distances from the downwind edge of the sprayed area, and setting up vertical target masts for air-assisted orchard sprayers (ISO, 2005). Drift samples were taken in an adjacent orchard block at different distances and heights relevant to farmworker activities (e.g. harvesting, pruning, or thinning on the ground or a ladder). Three rows of five vertical masts were arranged 5 m (16 ft, Masts B-F), 26 m (85 ft, Masts G-K), and 52 m (171 ft, Masts L-P) downwind of the sprayed block (Fig. 2). Reference samples were also collected in the middle of the sprayed block (Mast A) and 200 m (656 ft) upwind (Mast Q). To understand the vertical drift profile for each spray trial, continuous lines were cut into discrete sections (2 m; 7 ft) and stored in separate collection bottles at ambient temperature (ISO, 2005).

Analysis

Laboratory metals analysis

Samples were submitted to the DEOHS Environmental Health Laboratory (EHL) in Seattle and analyzed for micronutrient tracer mass. Aliquots of the sprayer bulk

tank and water source samples were prepared using microwave assisted digestion (open vessel, ramp to 90°C in 10 min and hold for 20 min) and then diluted with deionized water to final concentration of 10% HNO₃, 6% HCl, and 10 ppb terbium (Tb) recovery standard. Bulk samples were digested because of precipitation and apparent microbial growth in some sample containers. To all other samples, 10% HNO₃ with 10 ppb Tb was added. The extraction and digestion solutions were analyzed by ICP-MS based on Method 6020a Rev.1 2007 from United States Environmental Protection Agency (USEPA) (USEPA, 1998). A minimum of three matrix blanks were analyzed with each batch of samples to quantify and correct for mean blank background metal levels.

Samples with resulting negative values were considered below the limit of blank (LOB), or the concentration found when replicates of a blank sample containing no analyte were tested (Armbruster and Pry, 2008). The limit of quantitation (LOQ) was determined by multiplying the standard deviation (SD) of the matrix blanks by 3. We explored both substitution (e.g. $\frac{LOQ}{\sqrt{2}}$) and imputation techniques for samples below the LOQ, but any gains made by these methods did not compare to using the log-normally (ln) distributed raw lab values themselves (Succop et al., 2004). As such, we included sample measurements that were below LOQ but above LOB. Measurements below LOB ($n = 4$) were excluded.

Sample measurement normalization

Laboratory values were normalized by dividing the mass per sample (M_{sample} in μg per 2 m section of PE line) by the concentration of the tracer in the tank mix (C_{tank} in $\mu\text{g}/\text{ml}$) (Cross et al., 2001b). This allowed comparison of corresponding normalized values (in μl) for different spray trials in a way that eliminated micronutrient effects, which we defined as differences in concentration due to label mixing instructions or sampling variability. Normalized results were reported as drift levels, or volume tank equivalents (V_{drift}) deposited on each sample, giving a convenient interpretation shown by the following worked example:

$$V_{drift} = \frac{M_{sample}}{C_{tank}} = \frac{0.871\mu\text{g}}{11.4\frac{\mu\text{g}}{\text{ml}}} = 0.0764\text{ml} = 76.4\mu\text{l}$$

Mixed-effects model

Data were managed and analyzed with R v.3.3.3 (R Core Team, 2017) using the following packages:

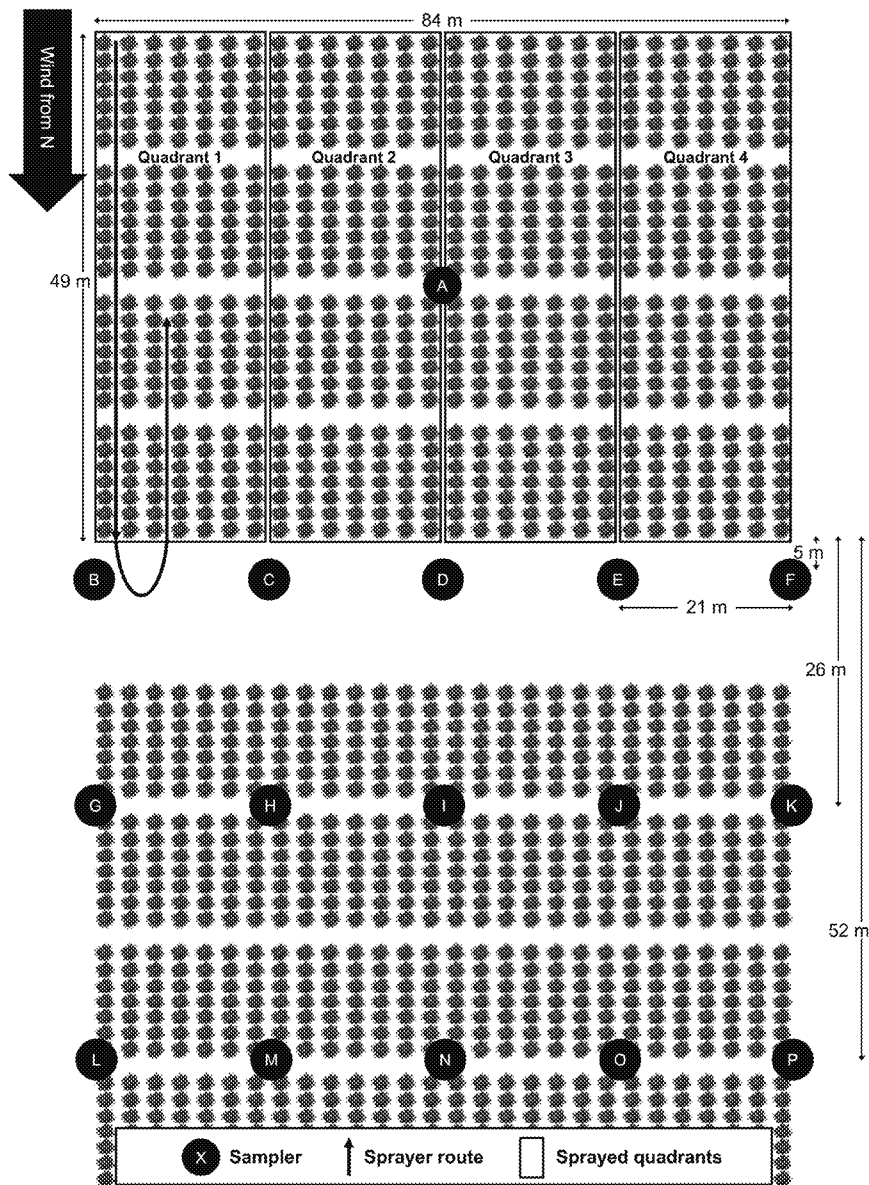


Figure 2. Relative locations of sprayed and sampling blocks with prevailing wind from the north. Sprayed block was divided into four quadrants and sprayed in a randomized order by the axial fan airblast sprayer. Drift sample locations were Masts B-P organized in a grid downwind of the sprayed block. Reference sample locations were Mast A (middle of the sprayed area) and Mast Q (not pictured; 200 m upwind).

ggplot2, knitr, lme4, lubridate, reshape, and rstudio (Wickham, 2007; Wickham, 2009; Grolemund and Wickham, 2011; RStudio Team, 2012; Bates et al., 2015; Xie, 2017). We produced tables of arithmetic and geometric means (AM; GM) and standard deviations (ASD; GSD), scatter plots, box plots, and heat maps.

Linear mixed-effects modeling fit by restricted maximum likelihood was used to assess the significance of

downwind distance, height, and wind speed in explaining variations of drift level ($\ln-\mu\text{l}$) by location, as measured on PE line [$n = 270$ (samples), $k = 15$ (locations), $l = 6$ (spray trials)]. The model was generated using the lmer function in the R package lme4, with continuous measures of distance, height, and wind speed as fixed effects and categorical location as a random effect. To estimate their impact on within- and between-location

variance components, we reran the model without fixed effects. We assumed a ln distribution for drift level and a normal distribution for all other parameters. Model significance was reported at the $\alpha = 0.05$ level.

Results

Weather conditions

Overall meteorological conditions were relatively similar across spray trials and measurement intervals (Table 1). Spraying typically occurred between 8:00 AM and approximately noon. The duration was longer in September 2016 because three sprayers were used each day compared to only two in July 2015 and June 2016. Results for 1-min averages were not available from 1–2 July 2015 due to a malfunctioning data logger.

Average wind speeds at 2 m elevation were within USEPA's drift-reducing wind recommendations of 3–10 mph (USEPA, 2001). The 15-min wind speed measurements taken 70 m west of the sprayed block at a height of 2 m ranged from 2.9 to 4.0 m/s (6.4–8.9 mph); 1-min measurements taken 190 m northeast at a height of 10 m ranged from 3.4 to 4.7 m/s (7.6–10.5 mph). As expected, wind direction was almost exclusively from a northerly direction. The 2 m station always averaged $\pm 20^\circ$ from true north. The 10 m station once averaged -48° (northwest) on 10 June 2016, but otherwise no more than approximately $\pm 20^\circ$ from true north (Supplementary Figure S5 in the Supplementary Material, available at *Annals of Work Exposures and Health* online).

Temperatures in July 2015 were 10–15°C higher than spray days in early summer or fall, but still within the acceptable range of temperatures for drift sampling. Inclusion of temperature, humidity, and 1-min (instead

of 15-min) wind data as fixed effects in secondary models did not impact study findings.

Sample collection

Samples ($n = 459$) were collected over six spray days (Supplementary Table S1 in the Supplementary Material, available at *Annals of Work Exposures and Health* online). During each of the first three spray days, 102 line samples (3 PE and 3 LDPE from 17 masts) were collected. Only PE samples ($n = 51$) were collected during the last three spray days. After demonstrating that the cross sectional area adjusted deposits from 1 July 2015 were highly correlated (Fig. 3, $R^2 = 0.81$), LDPE samples collected on 2 July 2015 and 10 June 2016 were not analyzed and LDPE samples were not collected on 28–30 September 2016. The intercept in Fig. 3 demonstrates that PE line collected $0.072 \mu\text{l}/\text{cm}^2$ more than LDPE line, on average. Over the entire study, a total of 306 PE samples (51 from each of the six spray days) were collected and analyzed. There were 270 drift samples (Masts B-P) and 36 reference samples (Masts A and Q).

Laboratory metals analysis

Reporting limits for Zn, Mo, and Cu sampling with LDPE (LOB: 0.1, 0.001, 0.01 μg ; LOQ: 0.2, 0.005, 0.04 μg) and PE (LOB: 3, 0.03, 0.7 μg ; LOQ: 8, 0.08, and 2 μg) were low enough to avoid substantial data censoring (Supplementary Table S2 in the Supplementary Material, available at *Annals of Work Exposures and Health* online). With the exception of four PE Zn measurements from 52 m downwind, all drift samples were above LOB and therefore included in the statistical analysis. LDPE spike recovery efficiencies for Zn, Mo, and Cu from the July 2015 sample analysis batch were 91, 87, and 90%. PE spike recovery efficiencies for Zn, Mo, and Cu from

Table 1. Summary of meteorological data collected during each spray day.

Spray day	Time	Duration ^a (min)	Temp ^b (°C)	Wind speed (m/s) ^c AM (ASD)	Wind direction (°) ^c AM (ASD)
1 July 2015	10:41–12:13	92	32.4	3.3 (0.3); - -	360 (0.0); - -
2 July 2015	10:15–11:21	66	31.6	4.0 (0.3); - -	360 (0.0); - -
10 June 2016	10:44–12:08	84	19.3	3.7 (1.5); 4.7 (2.0)	340 (0.6); 312 (0.5)
28 September 2016	09:34–11:35	121	18.9	4.0 (0.2); 4.4 (1.1)	360 (0.0); 338 (0.2)
29 September 2016	08:50–10:42	112	16.0	2.9 (0.2); 3.4 (0.9)	12 (0.4); 343 (0.2)
30 September 2016	08:20–10:07	107	15.5	3.2 (0.2); 3.7 (1.0)	360 (0.0); 340 (0.2)

^aDuration was longer in September 2016 because three sprayers were used each day compared to only two sprayers in July 2015 and June 2016.

^bArithmetic mean (AM) for 15-min temperature measurements.

^cAM and standard deviation (ASD) for wind measurements. 15-min data to the left of each semicolon and 1-min data to the right. Data are reported from two locations: (i) 15-min averages from a wind cup anemometer located 70 m west of the sprayed block at 2 m elevation and (ii) 1-min averages from an ultrasonic anemometer located 190 m northeast of the sprayed block at 10 m elevation. Wind speed was measured in m/s and wind direction in azimuth degrees, where 0° or 360° represents wind from the north. Only 15-min data were available for 1–2 July 2015.

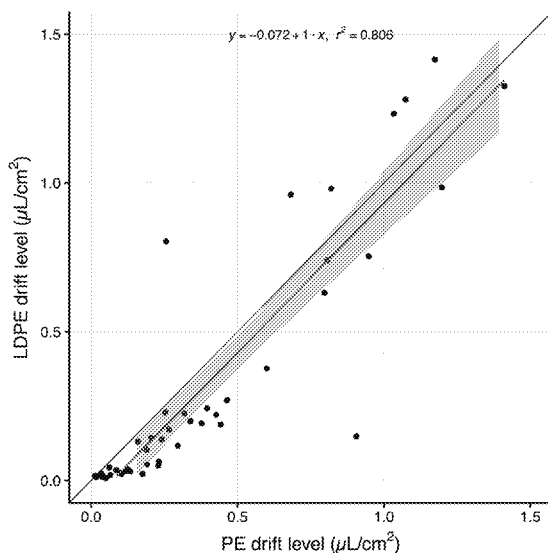


Figure 3. Tracer-based drift volume level collected on collocated polyester (PE) and low-density polyethylene (LDPE) lines, adjusted for cross sectional area, July 2015. Paired PE and LDPE drift levels were correlated ($R^2 = 0.81$), with PE collecting $0.072 \mu\text{L}/\text{cm}^2$ more than LDPE, on average.

July 2015, June 2016, and September 2016 were 102–115, 82–101, and 92–108% (Supplementary Table S3 in the Supplementary Material, available at *Annals of Work Exposures and Health* online). Mean tank mix concentrations for Zn, Mo, and Cu across all AFA trials were 242, 7, and 123 $\mu\text{g}/\text{ml}$, respectively (Fig. 1; Supplementary Table S1 in the Supplementary Material, available at *Annals of Work Exposures and Health* online). Mean Zn, Mo, and Cu background concentrations in the water source as a percentage of tank mix concentrations were 0.056, 0.0077, and 0.00038%, respectively.

Mixed-effects model

Summary statistics indicate evidence of drift at distances up to 52 m downwind. Tracer-based drift volume levels for reference PE samples taken in the middle of the sprayed area (Mast A, $n = 18$) and 200 m upwind (Mast Q, $n = 18$) had GMs and GSDs of 1079 (2.3) and 10 (1.9) μL , respectively (Supplementary Table S4 in the Supplementary Material, available at *Annals of Work Exposures and Health* online).

Among 270 PE drift samples, 266 (98.5%) were above LOB (Table 2). The four values below LOB were 52 m downwind and at the 0–2 m mast height sections. The GM (GSD) for all drift levels was 66 (3.6) μL . When stratified by near (5 m), mid (26 m), and far (52 m) downwind distances, drift levels were 257 (1.8), 52 (2.0), and 20 (2.3) μL , respectively. When stratified by

high (4–6 m), medium (2–4 m), and low (0–2 m) vertical heights, drift levels were 89 (2.5), 65 (3.4), and 51 (4.8) μL , respectively. When stratified by downwind distance and height, drift levels decreased with height at near distances, but increased with height at mid and far distances. As expected, the data were ln distributed. Subsequent analysis was on ln-transformed drift levels.

Table 3 provides point estimates and 95% confidence intervals for the mixed-effects model. Increasing distance was significantly associated with a decrease in drift level (-0.05 ; 95% CI: -0.06 , -0.04 ; $P < 0.001$). This coefficient represents a -0.05 change in ln- μL drift volume per m distance. Higher height (0.16; 95% CI: 0.11, 0.20; $P < 0.001$) and wind speed (0.53; 95% CI: 0.35, 0.70; $P < 0.001$) were significantly associated with an increase in drift level. These coefficients represent a 0.16 change in ln- μL drift volume per m height and a 0.53 change in ln- μL drift volume per m/s, respectively.

More of the remaining variance was within-location (0.378 , $\frac{0.378}{0.093 + 0.378} \times 100 = 80.2\%$) than between-location (0.093; 19.8%). Distance, height, and wind speed impacted the between-location variance component (1.206–0.093; 92% reduction) considerably, but did not greatly alter the within-location component (0.499–0.378; 24% reduction). This difference in percent reduction suggests that there were relatively few systematic changes for individual locations across spray trials.

Discussion

This study characterized spray drift in an orchard work environment and developed a method for comparing the drift potential of different application technologies. We report tracer-based drift volume level, a useful metric that describes the tank mix volume equivalent intercepted by vertical sampling lines or drift as a percent of the applied tank volume. After adjusting for cross sectional area, we found that fibrous PE lines collected $0.072 \mu\text{L}/\text{cm}^2$ more than collocated smooth LDPE lines, on average. We propose that this difference was due mainly to a higher collection efficiency via interception and impaction of smaller aerosols throughout the PE line matrix and, to a lesser extent, gravitational settling of larger aerosols on horizontal fibers.

A unique design feature of this study was that it drew from spatiotemporal characteristics of actual farmworker illness scenarios. Instead of spraying one or a few tree rows, our trials included repeated sprays in a 28-row orchard block. Other studies have measured airborne drift using vertical masts, but this was the first time a grid of such masts was used to characterize

Table 2. Summary statistics^a for tracer-based drift volume level (μL) collected on polyester line sampling matrices from axial fan airblast spray trials.

Sample	<LOB	N	AM	ASD	GM	GSD
Total drift samples	4	266	136	179	66	3.6
Downwind distance ^b						
Near (5 m)	0	90	310	216	257	1.8
Mid (26 m)	0	90	66	42	52	2.0
Far (52 m)	4	86	28	24	20	2.3
Vertical height ^c						
High (4–6 m)	0	90	134	145	89	2.5
Medium (2–4 m)	0	90	132	190	65	3.4
Low (0–2 m)	4	86	142	201	49	4.8
Near (5 m) distance at height						
High (4–6 m)	0	30	266	183	222	1.8
Medium (2–4 m)	0	30	310	244	252	1.9
Low (0–2 m)	0	30	354	215	304	1.8
Mid (26 m) distance at height						
High (4–6 m)	0	30	90	47	77	1.8
Medium (2–4 m)	0	30	63	35	53	1.8
Low (0–2 m)	0	30	44	29	35	2.0
Far (52 m) distance at height ^d						
High (4–6 m)	0	30	47	26	41	1.8
Medium (2–4 m)	0	30	25	16	20	1.9
Low (0–2 m)	4	26	11	6	9	1.8

^aListed by limit of blank (LOB), number of measurements (N), arithmetic mean (AM), arithmetic standard deviation (ASD), geometric mean (GM), and geometric standard deviation (GSD). N is reflective of each micronutrient tracer analyzed via inductively coupled plasma mass spectrometry (ICP-MS).

^bAs shown in Fig. 1, downwind sampling rows were at distances of 5 (Near), 26 (Mid), and 52 (Far) m from the southern edge of the sprayed area. These correspond to Masts B-F (Near), G-K (Mid), and L-P (Far).

^cSampling heights were categorized in terms of 2 m polyester (PE) line sections taken at 4–6 m (High), 2–4 m (Medium), and 0–2 m (Low) above the ground.

^dAM (and GM) for High, Medium, and Low heights at Far distances were 3.9 (3.7), 1.5 (1.7), and 1.6 (1.3) times greater than background levels measured at the upwind reference location (Mast Q). See Supplementary Table S4 (available at *Annals of Work Exposures and Health* online) for reference location values. All measurements were corrected for lab matrix blank values.

Table 3. Coefficients for determinants of drift from axial fan airblast spray trials^a.

Fixed effects	Model estimate (95% CI)	SE	P-value
Intercept	3.17 (2.48, 3.87)	0.36	<0.001
Distance (m)	-0.05 (-0.06, -0.04)	0.01	<0.001
Height (m)	0.16 (0.11, 0.20)	0.23	<0.001
Wind speed (m/s)	0.53 (0.35, 0.70)	0.09	<0.001
Variance components ^b	Random and fixed effects included	Only random effect included	
Within-location (Residual)	0.378 (80.2%)	0.499 (29.3%)	
Between-location (Intercept)	0.093 (19.8%)	1.206 (70.7%)	
Total variance	0.471 (100%)	1.705 (100%)	

^aThere were 266 tracer-based drift volume levels (ln- μL) measured on polyester lines at 15 downwind locations in six spray trials.

^bWhen the fixed effects were dropped from the model, within-location variance was 0.499 (29.3%) and between-location variance was 1.206 (70.7%). Fixed effects impacted the between-location component of the variance (1.206–0.093; 92% reduction) considerably, but did not alter the within-location component of variance (0.499–0.378; 24% reduction) as much. The difference between these models suggests that there were relatively few systematic changes for individual locations across spray trials.

the variability of drift levels in a downwind orchard block. We used a mixed-effects model to investigate the relationship between orchard work environment

characteristics and between- and within-location variance components of drift levels, enabling future development of similar exposure groupings for orchard workers.

'Tree canyon effects', akin to urban street canyon effects (Sini et al., 1996), may isolate components of wind flow below the canopy where orchard workers are often located. Using an orchard spray drift model and light detection and ranging (LIDAR), Tsai (2007) demonstrated the complex movement of within-canopy spray, which can escape the end of tree rows as drift when aligned with wind direction.

Study results highlight the importance of differentiating buffers not only by sprayer type and distance, but also by wind speed, orchard architecture, and sampling height (e.g. workers on the ground or on ladders). As expected, drift levels decayed with downwind distance (Table 2). Drift was measured up to 52 m downwind, which is approximately 1.7 times greater than the 30 m (100 ft) AEZ buffer for orchard sprayers defined by the Worker Protection Standard (USEPA, 2016b). Based on this standard, the first two rows of our sampling area should have been free of all persons other than appropriately trained and equipped handlers when the sprayer was at the southern edge of the sprayed block (USEPA, 2016b). As distance from the sprayed block increased, vertical profiles indicated more deposition on the highest line section (4–6 m) relative to lower sections. GM drift levels for high (4–6 m), medium (2–4 m), and low (0–2 m) heights at far (52 m) distances were 3.7, 1.7, and 1.3 times greater than background levels measured at the reference samples 200 m upwind.

Our findings are largely consistent with other orchard-based field studies. A recent meta analysis of spray drift sampling found that 4.4% of total pesticide applied was measured between 0 and 5 m downwind of fully leafed orchards (Donkersley and Nuytens, 2011). In our study, we estimate that 1.7% $\left(\frac{0.000310\text{ l} \times 21,000}{378\text{ l}} \times 100 \right)$ of the total volume applied was measurable 5 m downwind; this percentage is based on an AM drift level of 0.000310 l (310 μl) measured 5 m downwind from an applied volume of 378 l during each trial and a vertical sampling field surface area (504 m² = 84 m wide by 6 m tall) that was 21,000 times larger than the PE line cross sectional area (0.024 m²; 240 cm²). At 5 m downwind, Cross et al. (2001a) measured normalized spray deposits on 0–4 m sections of vertical sampling lines that were two to five times greater than those on 4–6 m sections.

We observed deposits that were $1.2 \left(\frac{354}{0.5(310 + 266)} \right)$ times greater, on average. Fox et al. (1993) reported that deposits on floss decreased with height at 7.5 m downwind, but were more uniform across all heights at 15, 30, and 60 m downwind. Butler Ellis et al. (2014) reported that average bystander exposures were higher

when wind was directed along orchard rows and that bystander exposure showed a high level of variability.

There are several limitations to this study. First, it modeled values from stationary area sampling instead of workers. Potential exposure estimates are not provided because we have not addressed the relationship between PE lines and a human body. Though outside the scope of this paper, we believe such work is possible by using, for example, measured drift volume levels, product label mixing instructions, and publicly available statistical data about human factors used to assess exposure. Second, data were collected in one orchard and may not be representative of other planting systems or sprayer configurations, such as adapted airflow or different nozzles (Khot et al., 2012). Also, tree row orientation in the sprayed block was parallel to the prevailing wind direction as opposed to perpendicular, which is required by some protocols (ASABE, 2004; ISO, 2005). Third, although the field team followed detailed standard operating procedures for prespray sample setup and post-spray sample harvesting, some sample surfaces contacted gloved hands, tree leaves, or the ground; however, inclusion or exclusion of these potentially contaminated samples ($n = 12$; 4%) did not change our findings.

We recommend vertical passive sampling with PE lines and micronutrient tracers in future assessments of orchard drift. Drift levels measured by highly efficient, nonuniform surfaces such as PE lines could be used to estimate potential worker exposure and validate other models such as BROWSE (Butler Ellis et al., 2017a,b). As part of our larger study, we found that optical particle counters, despite limitations that do not allow for analysis of chemical composition or detection of particles with diameters smaller than 0.5 μm , can detect drift plumes and finer time-resolved data on aerosol levels (Blanco et al., 2017). This approach may hold promise for real-time monitoring of human exposure during drift events. To better understand how orchard drift dynamics contribute to environmental and occupational exposures, it would be ideal to take measurements from actual workers involved in actual drift events. Such studies would require equipping orchardists and orchard workers with low-cost and easy-to-use sensors such as on-site meteorological stations and direct-reading particle counters to identify when drift reaches a level of concern for human exposure.

Conclusions

Our study measured tracer-based drift volume levels from a conventional AFA sprayer in a modern orchard. The field site proved to be ideal for the spray trials because it adhered to applicable drift sampling standards. Vertical PE

lines captured greater drift levels than LDPE lines. Buffers are likely to offer drift exposure protection to orchard workers near an active AFA sprayer. However, drift was measured well beyond the USEPA 'Application Exclusion Zone' buffer. Buffers for airblast applications could be further defined by factors such as worker location, wind speed, and features of orchard architecture such as tree canopy shape, height, and density. Data from our study may prove useful for estimating potential orchard worker exposure and validating bystander drift exposure models.

Supplementary Data

Supplementary data are available at *Annals of Work Exposures and Health* online.

Acknowledgements

Field study logistics were supported by Washington State University Tree Fruit Research & Extension Center, Washington Tree Fruit Research Commission, and Vine Tech Equipment. Samples were collected by the PNASH Center field team (Pablo Palmández, Maria Negrete, Maria Tchong-French, Jane Pouzou, Jose Carmona, Ryan Babadi, Christine Perez Delgado). Chemical analyses were conducted by the DEOHS Environmental Health Laboratory (Catherine Signoretti, Russell Dills). Informatics and computing support was provided by Brian High and the DEOHS Information Technology Team. Some weather data provided courtesy of and copyright by Washington State University AgWeatherNet. Contents are solely the responsibility of the authors.

Funding

Funding for this project was provided by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health through Cooperative Agreement #5 U54 OH007544 with the Pacific Northwest Agricultural Safety and Health (PNASH) Center. Additional support was provided by the Washington State Medical Aid & Accident Funding Initiative through the University of Washington Department of Environmental and Occupational Health Sciences (DEOHS).

Conflict of Interest

The authors declare no conflict of interest relating to the material presented in this article. Its contents, including any opinions and/or conclusions expressed, are solely those of the authors.

References

- Armbruster DA, Pry T. (2008) Limit of blank, limit of detection and limit of quantitation. *Clin Biochem Rev*; 29 (Suppl 1): S49–52.
- ASABE. (2004) S561.1 Procedure for measuring drift deposits from ground, orchard and aerial sprayers. American Society of Agricultural and Biological Engineers. Available from: <https://www.asabe.org/> (accessed 12 September 2018).
- ASABE. (2013) S572.1 Spray nozzle classification by droplet spectra. American Society of Agricultural and Biological Engineers. Available from: https://cdn2.hubspot.net/hub/95784/file-32015844-pdf/docs/asabe_s572.1_droplet_size_classification.pdf (accessed 18 April 2017).
- Bates D, Maechler M, Bolker B *et al.* (2015) Fitting linear mixed-effects models using lme4. *J Stat Softw*; 67: 1–48. Available from: <https://www.jstatsoft.org/article/view/v067i01/0> (accessed 23 September 2017).
- Blanco M. (2017) Real-time particle monitoring of pesticide drift from two different orchard sprayers. Thesis. University of Washington. Available from: <https://digital.lib.washington.edu/researchworks/handle/1773/40103> (accessed 12 September 2018).
- Bonds J, Nuytens D, Dekeyser D. (2016) Development of a spray drift database and an example of how it has been used to observe the effects of canopy and droplet size on drift profiles in apple orchards. *Asp Appl Biol*; 132: 385–90.
- Boynton D. (1954) Nutrition by foliar application. *Annu Rev Plant Physiol*; 5: 1–54.
- Butler Ellis M, Kennedy M, Kuster C *et al.* (2018) Improvements in modelling bystander and resident exposure to pesticide spray drift: investigations into new approaches for characterizing the 'collection efficiency' of the human body. *Am Work Expo Health*; 62: 622–632.
- Butler Ellis M, Lane A, O'Sullivan C *et al.* (2010) Bystander exposure to pesticide spray drift: new data for model development and validation. *Biosyst Eng*; 107: 162–68.
- Butler Ellis M, Lane A, O'Sullivan C *et al.* (2014) Bystander and resident exposure to spray drift from orchard applications: field measurements, including a comparison of spray drift collectors. *Asp Appl Biol*; 122: 187–94.
- Butler Ellis M, Van de Zande J, Van den Berg F *et al.* (2017a) The BROWSE model for predicting exposures of residents and bystanders to agricultural use of plant protection products: an overview. *Biosyst Eng*; 154: 92–104.
- Butler Ellis M, Van den Berg F, Van de Zande J *et al.* (2017b) The BROWSE model for predicting exposures of residents and bystanders to agricultural use of pesticides: comparison with experimental data and other exposure models. *Biosyst Eng*; 154: 122–136.
- Calvert GM, Rodriguez L, Prado JB; Centers for Disease Control and Prevention (CDC). (2015) Worker illness related to newly marketed pesticides—Douglas County, Washington, 2014. *MMWR Morb Mortal Wkly Rep*; 64: 42–4.
- Cross J, Balsari P, Doruchowski G *et al.* (2013) Orchard spray application in Europe—state of the art and research challenges. *Integrated Protection of Fruit Crops*; 91: 465–75.
- Cross J, Walklate P, Murray R *et al.* (2001a) Spray deposits and losses in different sized apple trees from an axial fan orchard sprayer: 1. Effects of spray liquid flow rate. *Crop Prot*; 20: 13–30.

- Cross J, Walklate P, Murray R *et al.* (2001b) Spray deposits and losses in different sized apple trees from an axial fan orchard sprayer: 2. Effects of spray quality. *Crop Prot*; 20: 333–43.
- Cunha J, Chueca P, Garcera C *et al.* (2012) Risk assessment of pesticide spray drift from citrus applications with air-blast sprayers in Spain. *Crop Prot*; 42: 116–23.
- Davis B, Brown M, Frost A. (1993) Selection of receptors for measuring spray drift deposition and comparison with bioassays with special reference to the shelter effects of hedges. *British Crop Protection Council (BCPC)*; 3B-4: 139–144.
- De Schamphelaere M, Spanoghe P, Brusselman E *et al.* (2007) Risk assessment of pesticide spray drift damage in Belgium. *Crop Prot*; 26: 602–11.
- Donkersley P, Nuytens D. (2011) A meta analysis of spray drift sampling. *Crop Prot*; 30: 931–36.
- Drewes H, Lauber J, Fish J. (1990) The spray drift task force: development of a drift study database for registration purposes. *Proceedings of the Brighton Crop Protection Conference, Pests and Diseases*; 9A-2: 1053–60.
- EFSA. (2014) *Guidance on the assessment of exposure of operators, workers, residents and bystanders in risk assessment for plant protection products*. Vol. 12. Parma, Italy: European Food Safety Authority (EFSA). pp. 1–55.
- Felsot AS, Unsworth JB, Linders JB *et al.* (2010) Agrochemical spray drift; assessment and mitigation—a review. *J Environ Sci Health B*; 46: 1–23.
- Fox R, Derksen R, Zhu H *et al.* (2008) A history of air-blast sprayer development and future prospects. *Trans ASAE*; 51: 405.
- Fox R, Hall F, Reichard D *et al.* (1993) Pesticide tracers for measuring orchard spray drift. *Appl Eng Agric*; 9: 501–5.
- Foqué D, Dekeyser D, Zwervaeager I *et al.* (2014) Accuracy of a multiple mineral tracer methodology for measuring spray deposition. *Asp Appl Biol*; 122: 203–12.
- Gilbert A, Bell G. (1988) Evaluation of the drift hazards arising from pesticide spray application. *Asp Appl Biol*; 17: 363–75.
- Grolemund G, Wickham H. (2011) Dates and times made easy with lubridate. *J Stat Softw*; 40: 1–25.
- Hinds W. (1999) Chapter 9: filtration. In: *Aerosol technology: properties, behavior, and measurement of airborne particles*. 2nd edn. New York: Wiley.
- Hoheisel G. (2016) *Six Steps to Calibrate and Optimize Airblast Sprayers*. Washington State University. Available from: <http://treefruit.wsu.edu/web-article/six-steps-to-calibrate-and-optimize-airblast-sprayers/> (accessed 3 April 2017).
- Holterman H, Van de Zande J, Huijsmans J *et al.* (2017) An empirical model based on phenological growth stage for predicting pesticide spray drift in pome fruit orchards. *Biosys Eng*; 154: 46–61.
- ISO. (2005) 22866:2005(E). Equipment for crop protection - methods for field measurement of spray drift. International Standards Organization. Available from: <https://www.iso.org/obp/ui/#iso:std:iso:22866:ed-1:v1:en> (accessed 12 September 2018).
- Jensen P, Olesen M. (2014) Spray mass balance in pesticide application: a review. *Crop Prot*; 61: 23–31.
- Kennedy M, Butler Ellis M. (2017) Probabilistic modelling for bystander and resident exposure to pesticides using the browse software. *Biosys Eng*; 154: 105–21.
- Khot L, Ehsani R, Albrigo G *et al.* (2012) Air-assisted sprayer adapted for precision horticulture: spray patterns and deposition assessments in small-sized citrus canopies. *Biosyst Eng*; 113: 76–85.
- Landers A. (2011) Improving spray deposition and reducing drift – airflow adjustment is the answer. *New York Fruit Quarterly*; 19: 3–6.
- Lee SJ, Mehler L, Beckman J *et al.* (2011) Acute pesticide illnesses associated with off-target pesticide drift from agricultural applications: 11 States, 1998–2006. *Environ Health Perspect*; 119: 1162–9.
- LERAP. (2002) Broadcast air-assisted sprayers: a step-by-step guide to reducing aquatic buffer zones. Local Environment Risk Assessment for Pesticides. Scheme Booklet. Department for Environment, Food, & Rural Affairs. Available from: <http://www.hse.gov.uk/pesticides/topics/using-pesticides/spray-drift/leraps/local-environment-risk-assessment-for-pesticides-le.htm> (accessed 12 January 2017).
- Matthews G, Bateman R, Miller P, editors (2014a) Chapter 8: air-assisted sprayers. In: *Pesticide Application Methods*. 4th edn. Oxford: John Wiley & Sons. doi:10.1002/9781118351284.ch8
- Matthews G, Bateman R, Miller P, editors (2014b) Chapter 4: spray droplets. In: *Pesticide Application Methods*. 4th edn. Oxford: John Wiley & Sons. doi:10.1002/9781118351284.ch4
- Miller P. (2014) Chapter 12: spray drift. In: Matthews G, Bateman R, Miller P, editors. *Pesticide application methods*, 4th edn. Oxford: John Wiley & Sons, Ltd. doi:10.1002/9781118351284.ch12
- Miller P, Walklate P, Mawer C. (1989) A comparison of spray drift collection techniques. *Proceedings of the British Crop Protection Council Conference – Weeds*. 6B-10: 669–676.
- Murray R, Cross J, Ridout M. (2000) The measurement of multiple spray deposits by sequential application of metal chelate tracers. *As Appl Biol*; 137: 245–52.
- Murray J, Vaughan L. (1970) Measuring pesticide drift at distances to four miles. *J Appl Meteorol*; 9: 79–85.
- Nuytens D, Sonck B, De Schamphelaere M *et al.* (2005) Spray drift as affected by meteorological conditions. *Commun Agric Appl Biol Sci*; 70: 947–59.
- Pierce F, Elliott T. (2008) Regional and on-farm wireless sensor networks for agricultural systems in eastern Washington. *Comput Electron Agric*; 61: 32–43.
- R Core Team. (2017) *R: a language and environment for statistical computing*. Vienna, Austria: R Foundation for Statistical Computing. Available from: <https://www.R-project.org/> (accessed 07 August 2018).
- RStudio Team. (2012) *RStudio: integrated development for R*. Boston, MA: RStudio, Inc. Available from: <http://www.rstudio.com/> (accessed 07 August 2018).

- Sini J, Anquetin S, Mestayer P. (1996) Pollutant dispersion and thermal effects in urban street canyons. *Atmos Environ*; 30: 2659–77.
- Succop PA, Clark S, Chen M *et al.* (2004) Imputation of data values that are less than a detection limit. *J Occup Environ Hyg*; 1: 436–41.
- TeeJet Technologies. (2014) Catalog 51A. Pages 40, 45, 150, 152–155. Available from: http://teejet.it/media/461405/cat51a_us.pdf (accessed 7 April 2017).
- Thistle H. (2004) *Meteorological concepts in the drift of pesticide*. Washington State University. International Conference on Pesticide Application for Drift Management, October 27–29, Waikoloa, Hawaii. pp. 156–162.
- Travis J, Sutton T, Skroch W. (1985) A technique for determining the deposition of heavy metals in pesticides. *Phytopathology*; 75: 783–85.
- Tsai M. (2007) *The Washington orchard spray drift study: understanding the broader mechanisms of pesticide spray drift*. Dissertation. University of Washington. Available from: https://www.researchgate.net/publication/33518968_The_Washington_orchard_spray_drift_study_understanding_the_broader_mechanisms_of_pesticide_spray_drift (accessed 22 May 2018).
- Turbo-Mist. (2017) Calibration Calculator. Available from: <http://www.slimlinemfg.com/calibration/> (accessed 12 September 2018).
- USEPA. (1990) SDTF: announcing the formation of an industry wide spray drift task force. United States Environmental Protection Agency. Available from: <https://www.epa.gov/pesticide-registration/prn-90-3-announcing-formation-industry-wide-spray-drift-task-force> (accessed 3 April 2017).
- USEPA. (1998) Method 6020A: inductively coupled plasma-mass spectrometry. United States Environmental Protection Agency. Available from: <http://www.caslab.com/EPA-Methods/PDF/EPA-Method-6020A.pdf> (accessed 22 April 2017).
- USEPA. (2001) PRN 2001-X draft: spray and dust drift label statements for pesticide products. United States Environmental Protection Agency. Available from: <http://www.epa.gov/pesticide-registration/prn-2001-x-draft-spray-and-dust-drift-label-statements-pesticide-products> (accessed 3 April 2017).
- USEPA. (2016a) Annual spray drift review. United States Environmental Protection Agency. Office of Pesticide Programs. Environmental Fate and Effects Division. Available from: <https://archive.epa.gov/scipoly/sap/meetings/web/html/spraydrift.html> (accessed 10 January 2018).
- USEPA. (2016b) Worker protection standard application exclusion zone requirements. United States Environmental Protection Agency. Available from: <http://www.pesticides.montana.edu/documents/wps/EPA-aez-qa-factsheet.pdf> (accessed 7 April 2017).
- Van de Zande J, Butler Ellis M, Wenneker M, Walklate P. (2014) Spray drift and bystander risk from fruit crop spraying. *Asp Appl Biol*; 122: 177–86.
- WADOH. (2013) Pesticide data report Washington State: 2010–2011 agency data. Washington Department of Health. Available from: <http://www.doh.wa.gov/Portals/1/Documents/Pubs/334-319.pdf> (accessed 3 April 2017).
- WADOH. (2017) Washington Tracking Network, Washington Department of Health. Web. “Pesticide Drift”. Data obtained from the Department of Health’s Pesticide Program. Published January 2017. Pesticide Illness - Agricultural Drift Only: rate Per 100,000. Available from: <https://fortress.wa.gov/doh/wtn/WTNPortal/home/#!q0=1041&q1=897> (accessed 7 April 2017).
- Wickham H. (2007) Reshaping data with the reshape Package. *J Stat Softw*; 21: 1–20. Available from: <http://www.jstatsoft.org/v21/i12/paper> (accessed 23 September 2017).
- Wickham H. (2009) *ggplot2: elegant graphics for data analysis*. New York: Springer-Verlag New York. Available from: <http://ggplot2.org> (accessed 23 September 2017).
- WSU. (2015) The Washington Agricultural Weather Network (AgWeatherNet). Washington State University. Available from: <http://weather.wsu.edu/awn.php> (accessed 3 April 2017).
- WSU. (2017a) Nutrient sprays. 2017 Crop Protection Guide for Tree Fruits in Washington. Washington State University. Available from: <http://www.tfrec.wsu.edu/pages/cpg/Nutrients> (accessed 17 April 2017).
- WSU. (2017b) WSU Sunrise Agweather Net Station. Washington State University. Available from: http://weather.wsu.edu/index.php?page=station_details&UNIT_ID=330115 (accessed 7 April 2017).
- Xie Y. (2017) knitr: a general-purpose package for dynamic report generation in R. R Package Version 1.16. Available from: <https://yihui.name/knitr/> (accessed 23 September 2017).
- Zabkiewicz J, Steele K, Praat J. (2008) Determination of spray drift using multiple metal cations as tracers. *NZ Plant Prot*; 61: 159–63.

Exhibit B



COUNTY OF SANTA CRUZ

OFFICE OF THE AGRICULTURAL COMMISSIONER

Juan Hidalgo
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS AND MEASURES

June 1, 2018

NOTICE OF PROPOSED ACTION, NATURE OF VIOLATION, AND RIGHT TO REQUEST HEARING

Via Certified Mail
Return Receipt Requested

FILE NO. 44171803

TO: LOS AMIGOS HARVESTING
Farm Labor Contractor License Number: FLC000234426
Attn: Patti Garrett
401 Hames Road
Watsonville, CA 95076

You are hereby notified that the Agricultural Commissioner for the County of Santa Cruz proposes that you be fined the amount of \$56,000.00 as a civil penalty for violating California's pesticide laws as explained below. The authority for this action is granted to the County Agricultural Commissioner pursuant to the provisions of Section 12999.5 of the Food and Agricultural Code (FAC). The amount of this fine was determined by applying the circumstances of the violations to the fine regulations adopted for use in these actions. These regulations are found in Title 3, California Code of Regulations (3 CCR), section 6130, a copy of which is enclosed with this Notice of Proposed Action.

FACTUAL CIRCUMSTANCES

On June 29, 2017, between approximately 7:30 a.m. and 8:30 a.m., Los Amigos Harvesting applied Pristine Fungicide (EPA Reg. No. 7969-199, active ingredients pyraclostrobin and boscalid), Rally 40WSP (EPA Reg. No. 62719-410, active ingredient myclobutanil), DiPel DF (EPA Reg. No. 73049-39, active ingredient *Bacillus thuringiensis*) and Widespread Max (CA Reg. No. 34704-50061, active ingredient polyether-polymethylsiloxane-copolymer polyether) to treat a raspberry field (Garrett Farms site 1A Nugent Ranch) using a tractor-driven air delivery spray rig. Garrett Farms site 1A Nugent Ranch is located approximately 48 feet southeast of another raspberry field (Coastal Berry - North site 21A Bronson Ranch) where field worker employees of FMG Farm Contractor, Inc. (FMG) were harvesting. Prior to starting to spray the pesticides, the Los Amigos Harvesting applicator asked FMG employees how long they planned to be harvesting raspberries at Coastal Berry - North site 21A Bronson Ranch, and told them he was going to make a pesticide application but would stay a safe distance away and that they should signal him if they smelled the pesticides. Shortly after Los Amigos Harvesting began spraying, multiple FMG employees working in Coastal Berry - North site 21A Bronson Ranch began to experience symptoms of acute illness. Of the twenty-four (24) FMG employees working at the site, fifteen (15) of these employees experienced one or more symptoms including

nausea, vomiting, stomachache, headache, dizziness, difficulty breathing, high temperature, dry mouth, a bad taste in their mouth, and throat, eye and skin irritation. 9-1-1 emergency services was called by an FMG field crew supervisor at the site. Five (5) FMG employees exhibiting acute symptoms of pesticide exposure were decontaminated onsite by first responders (Watsonville Fire Department) and transported to Watsonville Community Hospital by ambulance; one (1) FMG employee sought medical care for acute symptoms of pesticide exposure at the same hospital later the same day; and two (2) additional FMG employees obtained professional medical care for acute symptoms of pesticide exposure at a local clinic the following day. The diagnoses/medical impressions of the professional medical providers attending to the eight (8) FMG employees were that the illness symptoms were caused by exposure to pesticide.

In subsequent interviews, multiple FMG employees reported that the pesticide application took place directly across from them, that they saw the mist from the pesticide application drifting toward where they were working, and that they could smell the pesticide odor in the field. Foliar samples taken from Coastal Berry - North site 21A Bronson Ranch where the FMG employees had been harvesting tested positive for pyraclostrobin, boscalid and myclobutanil.

Violation 1

3 CCR section 6614(b)(1)

California Code of Regulations Title 3, section 6614(b)(1) states, in pertinent part:

“Notwithstanding that substantial drift will be prevented, no pesticide application shall be made or continued when... (1) There is a reasonable possibility of contamination of the bodies or clothing of persons not involved in the application process...”

Los Amigos Harvesting applied the pesticides Pristine Fungicide, Rally 40WSP, DiPel DF and Widespread Max with an air delivery spray rig in close proximity to FMG employees harvesting raspberries at Coastal Berry - North site 1A Bronson Ranch. Los Amigos Harvesting did not wait for FMG employees to finish harvest activities and leave the area prior to making the pesticide application. Los Amigos Harvesting applied the pesticides with a tractor-hitched air delivery sprayer that produced a “very fine” spray droplet size with a high potential for drift. Los Amigos Harvesting operated the spray rig in a N/NE to S/SW pattern while applying the pesticides, resulting in pesticides from the air delivery sprayer being discharged in the direction of nearby FMG employees. The applied pesticides moved off target to Coastal Berry - North site 1A Bronson Ranch where FMG employees were working, causing an actual health hazard resulting in multiple FMG employees experiencing acute illness symptoms and eight (8) of said employees requiring professional medical care due to their symptoms. The diagnoses/medical impressions of the professional medical providers attending to the eight (8) symptomatic FMG employees were that the illness symptoms were caused by exposure to pesticide. Foliar samples taken from Coastal Berry - North site 21A Bronson Ranch where the FMG employees had been harvesting were tested for pyraclostrobin, boscalid and myclobutanil, the active ingredients in Pristine Fungicide and Rally WSP, and came back positive for said active ingredients. Los Amigos Harvesting therefore applied pesticides in a way that created a reasonable possibility of contamination of the bodies or clothing of persons not involved in the application process.

Penalty

Section 12996.5(b) of the Food and Agricultural Code states: “The exposure of each person to a pesticide resulting from the violation of section 12972 or 12973, or any regulation adopted pursuant to section 12976, 12981, or 14005, that causes acute illnesses or injury, shall constitute a separate violation of the statute or regulation.”

This violation is considered a "Class A" violation. According to Section 6130 of the California Code of Regulations, Title 3, violations are designated as "Class A", "Class B", and "Class C." A "Class A" violation is a violation of a law or regulation that caused a health, property or environmental hazard. The fine range for a "Class A" violation is \$700.00 to \$5,000.00. Having considered the respondent's compliance history in light of its recent initiation of operations, due to the nature of the violation, including the potential effects the violation had on the twenty-four (24) people who were subject to potential exposure by multiple pesticides, the severity of the actual effects the violation had on the fifteen (15) people who were exposed to multiple pesticides and suffered symptoms and medical conditions consistent with pesticide exposure; and the increased severity of the actual effects the violation had on the eight (8) people who were exposed to multiple pesticides and suffered acute symptoms and medical conditions from same which necessitated the need for professional medical care and attention, the Agricultural Commissioner proposes to fine you \$5,000.00 each for eight (8) separate counts of the above described violation for a total of \$40,000.00.

Violation 2

3 CCR section 6614(b)(3)

California Code of Regulations Title 3, section 6614(b)(3) states, in pertinent part:

"Notwithstanding that substantial drift will be prevented, no pesticide application shall be made or continued when... (3) There is a reasonable possibility of contamination of nontarget public or private property, including the creation of a health hazard, preventing normal use of such property...."

Los Amigos Harvesting applied the pesticides Pristine Fungicide, Rally 40WSP, DiPel DF and Widespread Max with an air delivery spray rig in close proximity to Coastal Berry - North site 1A Bronson Ranch where an FMG harvest crew was working. Los Amigos Harvesting applied the pesticides with a tractor-hitched air delivery sprayer that produced a "very fine" spray droplet size with a high potential for drift. Los Amigos Harvesting operated the spray rig in a N/NE to S/SW pattern while applying the pesticides, resulting in pesticides from the air delivery sprayer being discharged in the direction of Coastal Berry - North site 1A Bronson Ranch where an FMG harvest crew was working. The applied pesticides moved off-target and contaminated nontarget property Coastal Berry - North site 21A Bronson Ranch, preventing normal use of said property by causing raspberry harvest activities to be discontinued and subjecting FMG employees to pesticide drift and resultant illness symptoms. Foliar samples taken from Coastal Berry - North site 21A Bronson Ranch where the FMG employees had been working were tested for pyraclostrobin, boscalid and myclobutanil, the active ingredients in Pristine Fungicide and Rally WSP, and came back positive for said active ingredients. Los Amigos Harvesting therefore applied pesticides in a way that created a reasonable possibility of contamination of a nontarget private property, including the creation of a health hazard, preventing normal use of such property.

Penalty

This violation is considered a "Class A" violation. According to Section 6130 of the California Code of Regulations, Title 3, violations are designated as "Class A", "Class B", and "Class C." A "Class A" violation is a violation of a law or regulation that caused a health, property or environmental hazard. The fine range for a "Class A" violation is \$700.00 to \$5,000.00. Having considered the respondent's compliance history in light of its recent initiation of operations, due to the nature of the violation, including the potential effects the violation had on the twenty-four (24) people who were subject to potential exposure by multiple pesticides, the severity of the actual effects the violation had on the fifteen (15) people who were exposed to multiple pesticides and suffered symptoms and medical conditions consistent with pesticide exposure; and the increased severity of the actual effects the violation had on the eight (8) people who were exposed to multiple pesticides and suffered

acute symptoms and medical conditions from same which necessitated the need for professional medical care and attention, the Agricultural Commissioner proposes to fine you \$5,000.00 for the above described violation.

Violation 3

3 CCR section 6600(b)

California Code of Regulations Title 3, section 6600(b) states, in pertinent part:

“Each person performing pest control shall... (b) Perform all pest control in a careful and effective manner...”

Los Amigos Harvesting applied the pesticides Pristine Fungicide, Rally 40WSP, DiPel DF and Widespread Max with an air delivery spray rig in close proximity to Coastal Berry - North site 1A Bronson Ranch where an FMG harvest crew was working. Prior to spraying the pesticides, the Los Amigos Harvesting applicator asked FMG employees how long they planned to be harvesting raspberries at Coastal Berry - North site 21A Bronson Ranch, and told them he was going to make a pesticide application but would stay a safe distance away and that they should signal him if they smelled the pesticides, thereby acknowledging the potential for the pesticide application to impact the field workers. Los Amigos Harvesting did not wait for FMG employees to finish harvest activities and leave the area prior to making the pesticide application. The off-target movement of the applied pesticides created an actual health hazard for FMG employees harvesting raspberries at Coastal Berry - North site 21A Bronson Ranch. Los Amigos Harvesting therefore did not perform all pest control in a careful and effective manner.

Penalty

This violation is considered a “Class A” violation. According to Section 6130 of the California Code of Regulations, Title 3, violations are designated as “Class A”, “Class B”, and “Class C.” A “Class A” violation is a violation of a law or regulation that caused a health, property or environmental hazard. The fine range for a “Class A” violation is \$700.00 to \$5,000.00. Having considered the respondent’s compliance history in light of its recent initiation of operations, due to the nature of the violation, including the potential effects the violation had on the twenty-four (24) people who were subject to potential exposure by multiple pesticides, the severity of the actual effects the violation had on the fifteen (15) people who were exposed to multiple pesticides and suffered symptoms and medical conditions consistent with pesticide exposure; and the increased severity of the actual effects the violation had on the eight (8) people who were exposed to multiple pesticides and suffered acute symptoms and medical conditions from same which necessitated the need for professional medical care and attention, the Agricultural Commissioner proposes to fine you \$5,000.00 for the above described violation.

Violation 4

FAC section 12973

California Food and Agricultural Code section 12973 states, in pertinent part:

“The use of any pesticide shall not conflict with the labeling registered pursuant to this chapter...”

The Pristine Fungicide, Rally 40WSP and DiPel DF labels state:

“Do not apply this product in a way that will contact workers or other persons, either directly or through drift.”

Los Amigos Harvesting applied pesticides Pristine Fungicide, Rally 40WSP, DiPel DF and Widespread Max with an air delivery spray rig in close proximity to Coastal Berry - North site 1A Bronson Ranch where an FMG

harvest crew was working. Los Amigos Harvesting applied the pesticides with a tractor-hitched air delivery sprayer that produced a "very fine" spray droplet size with a high potential for drift. Los Amigos Harvesting operated the spray rig in a N/NE to S/SW pattern while applying the pesticides, resulting in pesticides from the air delivery sprayer being discharged in the direction of Coastal Berry - North site 1A Bronson Ranch where an FMG harvest crew was working. The applied pesticides moved off-target subjecting FMG employees to pesticide drift and resultant illness symptoms, with eight (8) of said employees obtaining professional medical care for acute symptoms of pesticide exposure. All eight (8) of the employees that received professional medical care for pesticide exposure reported seeing the pesticide application mist and experienced a strong/bad odor, and one (1) of these employees reported pesticide contaminating her skin and clothes and saw the surface of the harvesting trailer's table top wet with pesticide. Foliar samples taken from Coastal Berry - North site 21A Bronson Ranch where the FMG employees had been working were tested for pyraclostrobin, boscalid and myclobutanil, the active ingredients in Pristine Fungicide and Rally WSP, and came back positive for said active ingredients. Los Amigos Harvesting therefore applied Pristine Fungicide, Rally 40WSP, and DiPel DF in a way that contacted persons through drift in violation of the pesticide labels and California law.

Penalty

This violation is considered a "Class A" violation. According to Section 6130 of the California Code of Regulations, Title 3, violations are designated as "Class A", "Class B", and "Class C." A "Class A" violation is a violation of a law or regulation that caused a health, property or environmental hazard. The fine range for a "Class A" violation is \$700.00 to \$5,000.00. Having considered the respondent's compliance history in light of its recent initiation of operations, due to the nature of the violation, including the potential effects the violation had on the twenty-four (24) people who were subject to potential exposure by multiple pesticides, the severity of the actual effects the violation had on the fifteen (15) people who were exposed to multiple pesticides and suffered symptoms and medical conditions consistent with pesticide exposure; and the increased severity of the actual effects the violation had on the eight (8) people who were exposed to multiple pesticides and suffered acute symptoms and medical conditions from same which necessitated the need for professional medical care and attention, the Agricultural Commissioner proposes to fine you \$5,000.00 for the above described violation.

Violation 5

FAC section 11701

California Food and Agricultural Code section 11701 states:

"It is unlawful for a person to advertise, solicit, or operate as a pest control business, unless the person has a valid pest control business license issued by the director."

The requirements for obtaining a pest control business license mitigate the risk of adverse health, property, or environmental effects by ensuring the business' pest control activities are supervised by a Qualified Applicator Licensee (QAL). The QAL is knowledgeable of California's pesticide use laws and regulations, supervises pesticide applications made by the licensed pest control business, and is responsible for its safe and legal pesticide use operations. Los Amigos Harvesting provided primary direction and control over the pesticide use related work, services or activities of their employee pesticide handler and was therefore operating as a pest control business without first obtaining a valid pest control business license.

Penalty


This violation is considered a "Class B" violation. According to Section 6130 of the California Code of Regulations, Title 3, violations are designated as "Class A", "Class B", and "Class C." A "Class B" violation is a violation of a law or regulation that mitigates the risk of adverse health, property, or environmental effects that

is not designated as a "Class A." The fine range for a "Class B" violation is \$250.00 to \$1,000.00. Having considered the respondent's compliance history in light of its recent initiation of operations, due to the nature of the violation, including the potential effects the violation had on the twenty-four (24) people who were subject to potential exposure by multiple pesticides, the severity of the actual effects the violation had on the fifteen (15) people who were exposed to multiple pesticides and suffered symptoms and medical conditions consistent with pesticide exposure; and the increased severity of the actual effects the violation had on the eight (8) people who were exposed to multiple pesticides and suffered acute symptoms and medical conditions from same which necessitated the need for professional medical care and attention, the Agricultural Commissioner proposes to fine you \$1,000.00 for the above described violation.

Penalty Summary

The Agricultural Commissioner proposes to fine you a total of \$56,000.00 for the violations described above.

If you have any questions regarding this matter, please contact David Sanford, Deputy Agricultural Commissioner, at (831) 763-8080



Juan Hidalgo
Agricultural Commissioner/Sealer
County of Santa Cruz
175 Westridge Drive
Watsonville, CA 95076
(831) 763-8080

6/1/18

Date

You May Review the Evidence Against You

You are entitled to review the Commissioner's evidence supporting these charges. A copy of the written evidence supporting these charges is enclosed for your convenience.

You May Request a Hearing and Present Evidence at the Hearing

You may request a hearing to review the Commissioner's evidence, and to present any evidence, oral or written, on your behalf as to why the Commissioner should not take the proposed action. You are not required to be represented by legal counsel at the hearing. Your attorney may accompany you and represent you if you wish. You will be provided a written decision of the Commissioner's finding. Although not required by the authorizing statute, a tape-recording will be made of the hearing proceedings.

How to Request a Hearing – Failure to Request – FAC Section 12999.5

Any hearing in this matter will be scheduled and held at the office of the County Agricultural Commissioner, located at 175 Westridge Drive, Watsonville, CA 95076, if you request a hearing by signing, dating and returning the enclosed Hearing Request within 20 days of receipt of the Notice of Proposed Action. Failure to timely request a hearing is a waiver of the right to a hearing. The Commissioner may take the action proposed in this notice without a hearing. Further, failure to request a hearing is a waiver of your right to appeal the Commissioner's decision.

Stipulation and Waiver to Order – FAC Section 12999.5

If you do not wish to request a hearing to contest the charges and proposed action, you may stipulate (agree) to the enclosed Order by dating, signing, and returning the enclosed Stipulation and Waiver to Order within 20 days of receipt of this notice.

Appeal Rights After Hearing – FAC Section 12999.5

Should you disagree with the Commissioner's decision after requesting and appearing at a hearing, you may request an appeal to the Director of the Department of Pesticide Regulation within 30 days of receiving the Commissioner's decision and order. However, you waive these appeal rights if you do not request and attend the hearing at the scheduled time and date, or if you fail to request an appeal within the 30-day time frame.

The request for appeal must be mailed to the Director of the Department of Pesticide Regulation, 1001 I Street, P.O. Box 4015, Sacramento, California 95812-4015.

The request for appeal:

1. Must be in writing and signed by you or your authorized agent; and
2. Must state the grounds for the appeal; and
3. Must include a copy of the Commissioner's Decision and Order; and
4. Must (sec 12999.5(d), et seq) be filed or mailed to the Commissioner at the same time you mail it to the Director.

Failure to follow any of the above requirements may affect your right to appeal.

If the Director grants an appeal, you will receive the Director's written decision approximately 45 days after receipt of your appeal, or as soon thereafter as practical.

Pesticide Incident Reimbursement Notice – FAC Section 12997.5

In addition to any penalties paid in connection with an enforcement action taken pursuant to Sections 12996, 12997, 12999, and 12999.5, any person who is found in violation of any provision of this division related to pesticides or any regulation related to pesticides adopted pursuant to this division that results in illness or injury requiring emergency medical transport or immediate medical treatment of any individual in a nonoccupational setting from any pesticide used in the production of an agricultural commodity, shall be liable to the individual harmed or to the medical provider for the immediate costs of uncompensated medical care from acute injuries and illnesses of the exposed individual.

ENCLOSURES

A copy of the text of 3 CCR, section 6130, and California FAC section 12999.5 are enclosed for your convenience.

A copy of Pesticide Illness Priority Investigation Report #49-SCR-17 with attachments. **(Please note that this report includes documents containing protected health information. These documents are not public records and may not be disclosed outside of a legal or administrative process that directly concerns the subject of this report.)**

A copy of the pamphlet "Preparing for Your Administrative Hearing" has been enclosed in order to assist you should you choose to request a hearing.

A copy of the California Department of Pesticide Regulation informational handout "Reimbursing Medical Costs of Persons Injured in Pesticide Incidents" has been enclosed for your information.



COUNTY OF SANTA CRUZ

OFFICE OF THE AGRICULTURAL COMMISSIONER

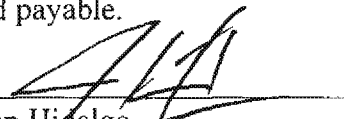
Juan Hidalgo
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS AND MEASURES

ORDER

FILE NO. 44171803

TO: LOS AMIGOS HARVESTING
Farm Labor Contractor License Number: FLC000234426
Attn: Patti Garrett
401 Hames Road
Watsonville, CA 95076

ORDER: It is hereby ordered that LOS AMIGOS HARVESTING is fined \$56,000.00. The fine is due now and payable.


Juan Hidalgo
Agricultural Commissioner/Sealer
175 Westridge Drive
Watsonville, CA 95076
(831)763-8080

Instructions to Respondent:

If you wish to pay the fine and not request (waive) a hearing, you may sign the Stipulation and Waiver to Order below. By doing so, you also waive your right to an appeal or any other review in this matter. If you wish to sign the Stipulation and Waiver to Order, you must submit it to the Agricultural Commissioner within 20 days of receipt of this notice.

STIPULATION AND WAIVER TO ORDER

I hereby stipulate that the Agricultural Commissioner's Notice of Proposed Action in the above-entitled matter states grounds for civil penalty action based on the evidence now before the Commissioner.

Without admitting to the violations alleged in the Notice of Proposed Action, I stipulate to the Commissioner's Order, as set forth above, and I waive all rights to a hearing and appeal or any other review in this matter.

Respondent's Signature

Date

Make the check payable to: "County of Santa Cruz". Mail the check and signed **Stipulation and Waiver to Order** to:

Juan Hidalgo
Agricultural Commissioner/Sealer
175 Westridge Drive
Watsonville, CA 95076



COUNTY OF SANTA CRUZ

OFFICE OF THE AGRICULTURAL COMMISSIONER

Juan Hidalgo
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS AND MEASURES

HEARING REQUEST

ACKNOWLEDGEMENT OF RECEIPT OF PROPOSED NOTICE OF ACTION AND REQUEST FOR HEARING

FILE NO. 44171803

TO: LOS AMIGOS HARVESTING
Farm Labor Contractor License Number: FLC000234426
Attn: Patti Garrett
401 Hames Road
Watsonville, CA 95076

I, the undersigned respondent in this proceeding, hereby acknowledge receipt of a copy of the Notice of Proposed Action.

I hereby request a hearing to permit me to have an opportunity to present my defense to the violations contained in the Notice of Proposed Action.

Respondent's Signature

Date

Respondent's Name (printed)

Telephone

Mail this form to: Juan Hidalgo
Agricultural Commissioner/Sealer
175 Westridge Drive
Watsonville, CA 95076

Exhibit C



COUNTY OF SANTA CRUZ

OFFICE OF THE AGRICULTURAL COMMISSIONER

Juan Hidalgo
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS AND MEASURES

June 1, 2018

NOTICE OF PROPOSED ACTION, NATURE OF VIOLATION, AND RIGHT TO REQUEST HEARING

FILE NO. 44171804

TO: FMG FARM CONTRACTOR, INC.
Farm Labor Contractor License Number: FLC000185517
Attn: Francisco Mora Gonzales
800 5th Street, Suite 5
Gonzales, CA 93926

You are hereby notified that the Agricultural Commissioner for the County of Santa Cruz proposes that you be fined the amount of \$1,250.00 as a civil penalty for violating California's pesticide law(s) as explained below. The authority for this action is granted to the County Agricultural Commissioner pursuant to the provisions of Section 12999.5 of the Food and Agricultural Code (FAC). The amount of this fine was determined by applying the circumstances of the violations to the fine regulations adopted for use in these actions. These regulations are found in Title 3, California Code of Regulations (3 CCR), section 6130, a copy of which is enclosed with this Notice of Proposed Action.

FACTUAL CIRCUMSTANCES

On June 29, 2017, between approximately 7:30 a.m. and 8:30 a.m., Los Amigos Harvesting applied Pristine Fungicide (EPA Reg. No. 7969-199, active ingredients pyraclostrobin and boscalid), Rally 40WSP (EPA Reg. No. 62719-410, active ingredient myclobutanil), DiPel DF (EPA Reg. No. 73049-39, active ingredient *Bacillus thuringiensis*) and Widespread Max (CA Reg. No. 34704-50061, active ingredient polyether-polymethylsiloxane-copolymer polyether) to treat a raspberry field (Garrett Farms site 1A Nugent Ranch) using a tractor-driven air delivery spray rig. Garrett Farms site 1A Nugent Ranch is located approximately 48 feet southeast of another raspberry field (Coastal Berry - North site 21A Bronson Ranch) where field worker employees of FMG Farm Contractor, Inc. (FMG) were harvesting. Prior to starting to spray the pesticides, the Los Amigos Farms applicator asked FMG employees how long they planned to be harvesting raspberries at Coastal Berry - North site 21A Bronson Ranch, and told them he was going to make a pesticide application but would stay a safe distance away and that they should signal him if they smelled the pesticides.

Shortly after Los Amigos Harvesting began spraying, multiple FMG employees working in Coastal Berry - North site 21A Bronson Ranch began to experience symptoms of acute illness. Of the twenty-four (24) FMG

175 WESTRIDGE DRIVE, WATSONVILLE, CALIFORNIA 95076 TELEPHONE (831) 763-8080 FAX (831) 763-8255

ED_002917_00142366-00032

employees working at the site, fifteen (15) of these employees experienced one or more symptoms including nausea, vomiting, stomachache, headache, dizziness, difficulty breathing, high temperature, dry mouth, a bad taste in their mouth, and throat, eye and skin irritation. 9-1-1 emergency services was called by an FMG field crew supervisor at the site. Five (5) FMG employees exhibiting acute symptoms of pesticide exposure were decontaminated onsite by first responders (Watsonville Fire Department) and transported to Watsonville Community Hospital by ambulance; one (1) FMG employee sought medical care for acute symptoms of pesticide exposure at the same hospital later the same day; and two (2) additional FMG employees obtained professional medical care for acute symptoms of pesticide exposure at a local clinic the following day. The diagnoses/medical impressions of the professional medical providers attending to the eight (8) FMG employees were that the illness symptoms were caused by exposure to pesticide.

Foliar samples taken from Coastal Berry - North site 21A Bronson Ranch where the FMG employees had been harvesting tested positive for pyraclostrobin, boscalid and myclobutanil. During the course of the investigation it was found that in addition to the eight (8) employees that received medical care, five (5) other FMG employees at the referenced site had informed their foreperson of illness symptoms but FMG failed to ensure these employees were taken to a physician. FMG Farm Contractor, Inc. is found in violation of two (2) of California's pesticide laws and regulations, as cited below:

Violation 1

3 CCR section 6766(c)

California Code of Regulations Title 3, section 6766(c) states, in pertinent part:

"When there are reasonable grounds to suspect that an employee has a pesticide illness, or when an exposure to a pesticide has occurred that might reasonably be expected to lead to an employee's illness, the employer shall ensure that the employee is taken to a physician immediately."

Twenty-four (24) FMG employees working in Coastal Berry – North site 21A Bronson Ranch were reasonably exposed to the pesticides applied by Los Amigos Harvesting on Garrett Farms site 1A Nugent Ranch on June 29, 2017. Of the twenty-four (24) FMG employees working at the site, fifteen (15) of these employees experienced one or more symptoms including nausea, vomiting, stomachache, headache, dizziness, difficulty breathing, high temperature, dry mouth, a bad taste in their mouth, and throat, eye and skin irritation. Eight (8) FMG employees required and received professional medical care as a result of the pesticide exposure. Another five (5) FMG employees had informed their foreperson of illness symptoms but FMG failed to ensure these employees were taken to a physician.

Penalty

Having considered the respondent's compliance history, due to the nature of the violation, and taking into account that there were reasonable grounds to suspect that an employee may become ill due to the exposure to pesticides, the Agricultural Commissioner proposes to fine you \$1,000.00 for the above described violation. According to Section 6130 of the California Code of Regulations, Title 3, violations are designated as "Class A", "Class B", and "Class C." This violation is considered a "Class B" violation. A "Class B" violation is a violation of a law or regulation that mitigates the risk of adverse health, property, or environmental effects that is not designated as a "Class A."

The fine range for a "Class B" violation is \$250.00 to \$1,000.00. This fine for violating 3 CCR 6766(c) is set at the top of the fine range because five (5) FMG employees reported feeling sick to the FMG foreperson and FMG failed to ensure that these employees were taken to a physician when there were reasonable grounds to

suspect that an employee may become ill. Ensuring that ill employees or employees that may be expected to become ill due to a pesticide exposure are taken to a physician immediately mitigates health effects that may lead to further injury to the employee.

Violation 2

3 CCR section 6764(a)

California Code of Regulations Title 3, section 6764(a) states, in pertinent part:

"The employer shall assure that each employee assigned to work in a treated field has been trained within the last 12 months, in a manner the employee understands, before beginning work in the treated field."

During the investigation of the exposure incident on June 29, 2018, it was discovered through employee interviews and training documents that two (2) FMG employees had not received requisite training in the prior 12-month period.

Penalty

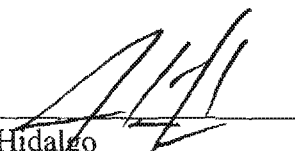
The Agricultural Commissioner proposes to fine you \$250.00 for the above described violation. According to Section 6130 of the California Code of Regulations, Title 3, violations are designated as "Class A", "Class B", and "Class C." This violation is considered a "Class B" violation. A "Class B" violation is a violation of a law or regulation that mitigates the risk of adverse health, property, or environmental effects that is not designated as a "Class A."

The fine range for a "Class B" violation is \$250.00 to \$1,000.00. The fine for this violation of 3 CCR 6764(a) is set at the bottom of the fine range at \$250.00 because whereas the majority of the FMG employees working on the morning of June 29, 2017, at treated field Coastal Berry - North site 21A Bronson Ranch had received the required training in the prior 12-month period, two (2) of said employees had not received the required training. Referenced required training includes pesticide exposure safety information which mitigates the risk of adverse health effects for employees that may be exposed to pesticides.

Penalty Summary

The Agricultural Commissioner proposes to fine you a total of \$1,250.00 for the violations described above.

If you have any questions regarding this matter, please contact David Sanford, Deputy Agricultural Commissioner, at (831) 763-8080


Juan Hidalgo
Agricultural Commissioner/Sealer
County of Santa Cruz
175 Westridge Drive
Watsonville, CA 95076
(831) 763-8080

6/11/18
Date

You May Review the Evidence Against You

You are entitled to review the Commissioner's evidence supporting these charges. A copy of the written evidence supporting these charges is enclosed for your convenience.

You May Request a Hearing and Present Evidence at the Hearing

You may request a hearing to review the Commissioner's evidence, and to present any evidence, oral or written, on your behalf as to why the Commissioner should not take the proposed action. You are not required to be represented by legal counsel at the hearing. Your attorney may accompany you and represent you if you wish. You will be provided a written decision of the Commissioner's finding. Although not required by the authorizing statute, a tape-recording will be made of the hearing proceedings.

How to Request a Hearing – Failure to Request – FAC Section 12999.5

Any hearing in this matter will be scheduled and held at the office of the County Agricultural Commissioner, located at 175 Westridge Drive, Watsonville, CA 95076, if you request a hearing by signing, dating and returning the enclosed Hearing Request within 20 days of receipt of the Notice of Proposed Action. Failure to timely request a hearing is a waiver of the right to a hearing. The Commissioner may take the action proposed in this notice without a hearing. Further, failure to request a hearing is a waiver of your right to appeal the Commissioner's decision.

Stipulation and Waiver to Order – FAC Section 12999.5

If you do not wish to request a hearing to contest the charges and proposed action, you may stipulate (agree) to the enclosed Order by dating, signing, and returning the enclosed Stipulation and Waiver to Order within 20 days of receipt of this notice.

Appeal Rights After Hearing – FAC Section 12999.5

Should you disagree with the Commissioner's decision after requesting and appearing at a hearing, you may request an appeal to the Director of the Department of Pesticide Regulation within 30 days of receiving the Commissioner's decision and order. However, you waive these appeal rights if you do not request and attend the hearing at the scheduled time and date, or if you fail to request an appeal within the 30-day time frame.

The request for appeal must be mailed to the Director of the Department of Pesticide Regulation, 1001 I Street, P.O. Box 4015, Sacramento, California 95812-4015.

The request for appeal:

1. Must be in writing and signed by you or your authorized agent; and
2. Must state the grounds for the appeal; and
3. Must include a copy of the Commissioner's Decision and Order; and
4. Must (sec 12999.5(d), et seq) be filed or mailed to the Commissioner at the same time you mail it to the Director.

Failure to follow any of the above requirements may affect your right to appeal.

If the Director grants an appeal, you will receive the Director's written decision approximately 45 days after receipt of your appeal, or as soon thereafter as practical.

ENCLOSURES

A copy of the text of 3 CCR, section 6130, and California FAC section 12999.5 are enclosed for your convenience.

A copy of Pesticide Illness Priority Investigation Report #49-SCR-17 with attachments. **(Please note that this report includes documents containing protected health information. These documents are not public records and may not be disclosed outside of a legal or administrative process that directly concerns the subject of this report.)**

A copy of the pamphlet "Preparing for Your Administrative Hearing" has been enclosed in order to assist you should you choose to request a hearing.



COUNTY OF SANTA CRUZ

OFFICE OF THE AGRICULTURAL COMMISSIONER

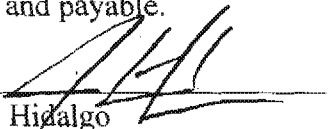
Juan Hidalgo
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS AND MEASURES

ORDER

FILE NO. 44171804

TO: FMG FARM CONTRACTOR, INC.
Farm Labor Contractor License Number: FLC000185517
Attn: Francisco Mora Gonzales
800 5th Street, Suite 5
Gonzales, CA 93926

ORDER: It is hereby ordered that FMG FARM CONTRACTOR, INC. is fined \$1,250.00. The fine is due now and payable.


Juan Hidalgo
Agricultural Commissioner/Sealer
175 Westridge Drive
Watsonville, CA 95076
(831)763-8080

Instructions to Respondent:

If you wish to pay the fine and not request (waive) a hearing, you may sign the Stipulation and Waiver to Order below. By doing so, you also waive your right to an appeal or any other review in this matter. If you wish to sign the Stipulation and Waiver to Order, you must submit it to the Agricultural Commissioner within 20 days of receipt of this notice.

STIPULATION AND WAIVER TO ORDER

I hereby stipulate that the Agricultural Commissioner's Notice of Proposed Action in the above-entitled matter states grounds for civil penalty action based on the evidence now before the Commissioner.

Without admitting to the violations alleged in the Notice of Proposed Action, I stipulate to the Commissioner's Order, as set forth above, and I waive all rights to a hearing and appeal or any other review in this matter.

Respondent's Signature

Date

Make the check payable to: "County of Santa Cruz". Mail the check and signed **Stipulation and Waiver to Order** to:

Juan Hidalgo
Agricultural Commissioner/Sealer
175 Westridge Drive
Watsonville, CA 95076

175 WESTRIDGE DRIVE, WATSONVILLE, CALIFORNIA 95076 TELEPHONE (831) 763-8080 FAX (831) 763-8255

ED_002917_00142366-00037



COUNTY OF SANTA CRUZ

OFFICE OF THE AGRICULTURAL COMMISSIONER

Juan Hidalgo
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS AND MEASURES

HEARING REQUEST

ACKNOWLEDGEMENT OF RECEIPT OF PROPOSED NOTICE OF ACTION AND REQUEST FOR HEARING

FILE NO. 44171804

TO: FMG FARM CONTRACTOR, INC.
Farm Labor Contractor License Number: FLC000185517
Attn: Francisco Mora Gonzales
800 5th Street, Suite 5
Gonzales, CA 93926

I, the undersigned respondent in this proceeding, hereby acknowledge receipt of a copy of the Notice of Proposed Action.

I hereby request a hearing to permit me to have an opportunity to present my defense to the violations contained in the Notice of Proposed Action.

Respondent's Signature

Date

Respondent's Name (printed)

Telephone

Mail this form to: Juan Hidalgo
Agricultural Commissioner/Sealer
175 Westridge Drive
Watsonville, CA 95076

Exhibit D

STATE OF CALIFORNIA
PESTICIDE EPISODE INVESTIGATION REPORT

PR-ENF-127 (REV 8/07) PAGE 1 OF 1

DEPARTMENT OF PESTICIDE REGULATION
 ENFORCEMENT BRANCH

Page 1 of 43

A. GENERAL INFORMATION

REPORTED BY Sta Cruz CAC	RECEIVED FROM Public	REPRESENTING Unknown	DATE/TIME RECEIVED 6/29/17 0845	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	PERSON NOTIFIED DFA	DATE
TYPE OF EPISODE <input checked="" type="checkbox"/> HUMAN EFFECTS # 8 <input type="checkbox"/> PROPERTY LOSS \$		ENVIRONMENTAL EFFECTS <input type="checkbox"/> OTHER		PRIORITY INVESTIGATION <input checked="" type="checkbox"/> YES # 49-SCR-17 <input type="checkbox"/> NO		
OTHER ID. NO. CAC #17-07	COUNTY OF OCCURRENCE Santa Cruz	DATE OF OCCURRENCE MO 6 DAY 29 YR 17	TIME 0800	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	PERSON NOTIFIED DFG DPH DIR EPA CAC OTHER	DATE
EPISODE LOCATION East Lake and Wagner Aves., Watsonville, California						

B. INJURED/COMPLAINANT INFORMATION

COMPLAINANT SIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	DOCTOR VISITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	EXTENT OF INJURY/ILLNESS <input type="checkbox"/> Fatal <input type="checkbox"/> Serious <input checked="" type="checkbox"/> Symptoms <input type="checkbox"/> Exposed Only	ACTIVITY OF PERSON EXPOSED/INVOLVED <input type="checkbox"/> Mixer/Loader <input type="checkbox"/> Applicator <input checked="" type="checkbox"/> Field worker* <input type="checkbox"/> Public* *Explain berry harvest	WORKDAYS LOST see report
ADDRESS (Number and Street, City, State, ZIP Code) [REDACTED]				
MEDICAL FACILITY NAME Watsonville Community Hospital	<input checked="" type="checkbox"/> TREATMENT PROVIDED <input type="checkbox"/> OBSERVATION ONLY	HOSPITALIZED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DATE/TIME ADMITTED 6/29/17 at 0919 hrs	DATE/TIME DISCHARGED 6/29/17 at 1046 hrs
PHYSICIAN see report	ADDRESS (Number and Street, City, State, ZIP Code) n/a			PHONE n/a
SIGNS/SYMPTOMS EXPERIENCED nausea, vomiting				
EMPLOYER FMG Farm Contractor, Inc.	ADDRESS (Number and Street, City, State, ZIP Code) 800 5th Street, Gonzales, CA, 93926			PHONE 831-675-0007

PROTECTIVE MEASURES USED

EYES <input type="checkbox"/> Safety Glasses <input type="checkbox"/> Goggles <input type="checkbox"/> Faceshield <input type="checkbox"/> Eye/Sun Glasses <input checked="" type="checkbox"/> None	HANDS <input type="checkbox"/> Cloth/Leather Gloves <input type="checkbox"/> Chemical Resistant Gloves <input checked="" type="checkbox"/> Other None	INHALATION <input type="checkbox"/> Dust Mask <input type="checkbox"/> 1/2 Face Respirator <input type="checkbox"/> Full Face Respirator <input checked="" type="checkbox"/> SCBA <input type="checkbox"/> None	OTHER <input checked="" type="checkbox"/> Work Clothes <input type="checkbox"/> Coveralls <input type="checkbox"/> Chemical Resistant Clothes <input type="checkbox"/> Chemical Resistant Boots <input type="checkbox"/> Head Covering <input type="checkbox"/> Other	ENGINEERING CONTROLS <input type="checkbox"/> Closed System <input type="checkbox"/> Enclosed Cab <input type="checkbox"/> Enclosed Cab w/Air Purification <input checked="" type="checkbox"/> Other None
---	---	---	--	--

ENVIRONMENTAL OR PROPERTY DAMAGE

DESCRIPTION OF DAMAGE n/a	AMOUNT/VALUE n/a
OWNER n/a	ADDRESS (Number and Street, City, State, ZIP Code) n/a
	PHONE n/a

D. ALLEGED RESPONDENT(S) ☐ PCA ☐ DEALER ☐ PILOT ☐ GROWER ☐ AGENCY ☒ OTHER Farm Labor Contractor

NAME Los Amigos Harvesting	PHONE 831-768-6944	LICENSE/PERMIT NUMBER FLC000234426	RECOMMENDATION MADE <input checked="" type="checkbox"/> YES # 6649 <input type="checkbox"/> NO
ADDRESS (Number and Street) 401 Hames Road		EMPLOYER'S NAME n/a	PHONE 831-768-6944
City, State, ZIP Code Watsonville, CA, 95076		EMPLOYER'S ADDRESS (Number and Street) n/a	
EXPLAIN Farm Labor Contractor performing pest control work		City, State, ZIP Code n/a	

PESTICIDE NAME/MANUFACTURER	EPA REGISTRATION NUMBER	CATEGORY	DOSE/DILUTION/VOLUME	TREATMENT DATE	COMMODITY/SITE TREATED
DiPel / Valent BioSci.	73049-39	Caution	2 lbs./acre	6/29/17	Raspberry
Pristine Fungicide / BASF	7969-199	Caution	18.5 oz./acre	6/29/17	Raspberry
Rally 40WSP / Dow AgroSci.	62719-410	Caution	2.5 oz./acre	6/29/17	Raspberry

EQUIPMENT TYPE/MAKE/MODEL/DESCRIPTION

Gearmore P42N1-400G, spray rig with vertical spray nozzles

SUMMARIZE THE EPISODE INCLUDING A DETAILED DESCRIPTION OF EVIDENCE TAKEN (Use Pesticide Episode Investigation Supplemental Report form PR-ENF-127A if additional space is needed)

see report

REPORT PREPARED BY (NAME/TITLE) Shane DeVine / Ag Biologist III	DATE PREPARED April 26, 2018	REPORT REVIEWED/APPROVED BY (NAME/TITLE) David Sanford / Deputy Ag Commissioner	DATE APPROVED April 26, 2018
--	---------------------------------	--	---------------------------------

ED_002917_00142366-00040

STATE OF CALIFORNIA
EPISODE WITNESS/INJURED/COMPLAINANT REPORT
 PR ENF-127B (REV. 8/07)

DEPARTMENT OF PESTICIDE REGULATION
 ENFORCEMENT BRANCH

PAGE 2 OF 43

PRIORITY INVESTIGATION <input checked="" type="checkbox"/> YES # 49-SCR-17 <input type="checkbox"/> NO		OTHER I.D. NO. CAC #17-07		COUNTY OF OCCURRENCE Santa Cruz		DATE OF OCCURRENCE MO <u>6</u> DAY <u>29</u> YR <u>2017</u>	
COMPLAINANT SIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		WAS DOCTOR VISITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		EXTENT OF INJURY/ILLNESS <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> Symptoms <input type="checkbox"/> Serious <input type="checkbox"/> Exposed Only		ACTIVITY OF PERSON EXPOSED/INVOLVED <input type="checkbox"/> Mixer/Loader <input checked="" type="checkbox"/> Field Worker* <input type="checkbox"/> Other* <input type="checkbox"/> Applicator <input type="checkbox"/> Public* Explain _____	
NAME [REDACTED]		AGE [REDACTED]		SEX [REDACTED]		WHS NO. [REDACTED]	
ADDRESS [REDACTED]		CITY [REDACTED]		ZIP CODE [REDACTED]		PHONE [REDACTED]	
MEDICAL FACILITY NAME Watsonville Community Hospital		<input checked="" type="checkbox"/> TREATMENT PROVIDED <input type="checkbox"/> OBSERVATION ONLY		HOSPITALIZED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		DATE/TIME ADMITTED 6/29/17 at 0905 hrs	
PHYSICIAN see report		ADDRESS n/a		DATE/TIME DISCHARGED 6/29/17 at 1223 hrs		PHONE n/a	
<input checked="" type="checkbox"/> SIGNS/SYMPTOMS EXPERIENCED nausea, vomiting, dizziness, sore/itchy throat							
EMPLOYER FMG Farm Contractor, Inc.		ADDRESS 800 5th Street, Gonzales, CA, 93926				PHONE 831-675-0007	
PROTECTIVE MEASURES USED							
EYES <input type="checkbox"/> Safety Glasses <input type="checkbox"/> Goggles <input type="checkbox"/> Faceshield <input type="checkbox"/> Eye/Sun Glasses <input checked="" type="checkbox"/> None		HANDS <input type="checkbox"/> Cloth/Leather Gloves <input type="checkbox"/> Chemical Resistant Gloves <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> None		INHALATION <input type="checkbox"/> Dust Mask <input type="checkbox"/> 1/2 Face Respirator <input type="checkbox"/> Full Face Respirator <input type="checkbox"/> SCBA <input checked="" type="checkbox"/> None		OTHER <input checked="" type="checkbox"/> Work Clothes <input type="checkbox"/> Coveralls <input type="checkbox"/> Chemical Resistant Clothes <input type="checkbox"/> Chemical-Resistant Boots <input type="checkbox"/> Head Covering <input type="checkbox"/> Other _____	
ENGINEERING CONTROLS <input type="checkbox"/> Closed System <input type="checkbox"/> Enclosed Cab <input type="checkbox"/> Enclosed Cab w/Air Purification <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> None							

COMPLAINANT SIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		WAS DOCTOR VISITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		EXTENT OF INJURY/ILLNESS <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> Symptoms <input type="checkbox"/> Serious <input type="checkbox"/> Exposed Only		ACTIVITY OF PERSON EXPOSED/INVOLVED <input type="checkbox"/> Mixer/Loader <input checked="" type="checkbox"/> Field Worker* <input type="checkbox"/> Other* <input type="checkbox"/> Applicator <input type="checkbox"/> Public* Explain _____	
NAME [REDACTED]		AGE [REDACTED]		SEX [REDACTED]		WHS NO. [REDACTED]	
ADDRESS [REDACTED]		CITY [REDACTED]		ZIP CODE [REDACTED]		PHONE [REDACTED]	
MEDICAL FACILITY NAME WorkWell Clinic		<input checked="" type="checkbox"/> TREATMENT PROVIDED <input type="checkbox"/> OBSERVATION ONLY		HOSPITALIZED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		DATE/TIME ADMITTED 6/30/17 at 0850 hrs	
PHYSICIAN n/a		ADDRESS n/a		DATE/TIME DISCHARGED 6/30/17 unknown time		PHONE n/a	
<input checked="" type="checkbox"/> SIGNS/SYMPTOMS EXPERIENCED nausea, vomiting, headache, achy, dizziness, eye itchiness and burning, blurred vision, itchy throat, trunk and upper extremities, cough with phlegm and shortness of breath							
EMPLOYER FMG Farm Contractor, Inc.		ADDRESS 800 5th Street, Gonzales, CA, 93926				PHONE 831-675-0007	
PROTECTIVE MEASURES USED							
EYES <input type="checkbox"/> Safety Glasses <input type="checkbox"/> Goggles <input type="checkbox"/> Faceshield <input type="checkbox"/> Eye/Sun Glasses <input checked="" type="checkbox"/> None		HANDS <input type="checkbox"/> Cloth/Leather Gloves <input type="checkbox"/> Chemical Resistant Gloves <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> None		INHALATION <input type="checkbox"/> Dust Mask <input type="checkbox"/> 1/2 Face Respirator <input type="checkbox"/> Full Face Respirator <input type="checkbox"/> SCBA <input checked="" type="checkbox"/> None		OTHER <input checked="" type="checkbox"/> Work Clothes <input type="checkbox"/> Coveralls <input type="checkbox"/> Chemical Resistant Clothes <input type="checkbox"/> Chemical Resistant Boots <input type="checkbox"/> Head Covering <input type="checkbox"/> Other _____	
ENGINEERING CONTROLS <input type="checkbox"/> Closed System <input type="checkbox"/> Enclosed Cab <input type="checkbox"/> Enclosed Cab w/Air Purification <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> None							

COMPLAINANT SIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		WAS DOCTOR VISITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		EXTENT OF INJURY/ILLNESS <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> Symptoms <input type="checkbox"/> Serious <input type="checkbox"/> Exposed Only		ACTIVITY OF PERSON EXPOSED/INVOLVED <input type="checkbox"/> Mixer/Loader <input checked="" type="checkbox"/> Field Worker* <input type="checkbox"/> Other* <input type="checkbox"/> Applicator <input type="checkbox"/> Public* Explain _____	
NAME [REDACTED]		AGE [REDACTED]		SEX [REDACTED]		WHS NO. [REDACTED]	
ADDRESS [REDACTED]		CITY [REDACTED]		ZIP CODE [REDACTED]		PHONE [REDACTED]	
MEDICAL FACILITY NAME Watsonville Community Hospital		<input checked="" type="checkbox"/> TREATMENT PROVIDED <input type="checkbox"/> OBSERVATION ONLY		HOSPITALIZED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		DATE/TIME ADMITTED 6/29/17 unknown time	
PHYSICIAN n/a		ADDRESS n/a		DATE/TIME DISCHARGED 6/29/17 unknown time		PHONE n/a	
<input checked="" type="checkbox"/> SIGNS/SYMPTOMS EXPERIENCED vomiting							
EMPLOYER FMG Farm Contractor, Inc.		ADDRESS 800 5th Street, Gonzales, CA, 93926				PHONE 831-675-0007	
PROTECTIVE MEASURES USED							
EYES <input type="checkbox"/> Safety Glasses <input type="checkbox"/> Goggles <input type="checkbox"/> Faceshield <input type="checkbox"/> Eye/Sun Glasses <input checked="" type="checkbox"/> None		HANDS <input type="checkbox"/> Cloth/Leather Gloves <input type="checkbox"/> Chemical Resistant Gloves <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> None		INHALATION <input type="checkbox"/> Dust Mask <input type="checkbox"/> 1/2 Face Respirator <input type="checkbox"/> Full Face Respirator <input type="checkbox"/> SCBA <input checked="" type="checkbox"/> None		OTHER <input checked="" type="checkbox"/> Work Clothes <input type="checkbox"/> Coveralls <input type="checkbox"/> Chemical Resistant Clothes <input type="checkbox"/> Chemical Resistant Boots <input type="checkbox"/> Head Covering <input type="checkbox"/> Other _____	
ENGINEERING CONTROLS <input type="checkbox"/> Closed System <input type="checkbox"/> Enclosed Cab <input type="checkbox"/> Enc. Cab w/Air Purification <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> None							

COMMENTS

see report

REPORT PREPARED BY (NAME/TITLE) Shane DeVine / Ag Biologist III	DATE PREPARED Apr. 26, 2018	REPORT REVIEWED/APPROVED BY (NAME/TITLE) David Sanford / Deputy Ag Commissioner	DATE REVIEWED/APPROVED Apr. 26, 2018
--	--------------------------------	--	---

EPISODE WITNESS/INJURED/COMPLAINANT REPORT

PR-ENF-127B (REV 8/07)

PAGE 3 OF 43

PRIORITY INVESTIGATION <input checked="" type="checkbox"/> YES # 49-SOR-17 <input type="checkbox"/> NO		OTHER I.D. NO. CAC #17-07		COUNTY OF OCCURRENCE Santa Cruz		DATE OF OCCURRENCE MO 6 DAY 29 YR 2017		
COMPLAINANT SIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		WAS DOCTOR VISITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		EXTENT OF INJURY/ILLNESS <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> Symptoms <input type="checkbox"/> Serious <input type="checkbox"/> Exposed Only		ACTIVITY OF PERSON EXPOSED/INVOLVED <input type="checkbox"/> Mixer/Loader <input checked="" type="checkbox"/> Field Worker* <input type="checkbox"/> Other* <input type="checkbox"/> Applicator <input type="checkbox"/> Public* Explain _____		
WITNESS/INJURED/COMPLAINANT	NAME		AGE	SEX	WHS NO		NO. OF WORKDAYS LOST see report	
	ADDRESS		CITY		ZIP CODE		PHONE	
	MEDICAL FACILITY NAME Watsonville Community Hospital		<input checked="" type="checkbox"/> TREATMENT PROVIDED <input type="checkbox"/> OBSERVATION ONLY		HOSPITALIZED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		DATE/TIME ADMITTED 6/29/17 at 0918 hrs	
	PHYSICIAN n/a		ADDRESS n/a				DATE/TIME DISCHARGED 6/29/17 at 1257 hrs	
	PHYSICIAN n/a		ADDRESS n/a				PHONE n/a	
WITNESS/INJURED/COMPLAINANT	SIGNS/SYMPTOMS EXPERIENCED burning sensation in both eyes		EMPLOYER FMG Farm Contractor, Inc.		ADDRESS 800 5th Street, Gonzales, CA, 93926		PHONE 831-675-0007	
	PROTECTIVE MEASURES USED EYES <input type="checkbox"/> Safety Glasses <input type="checkbox"/> Goggles <input type="checkbox"/> Faceshield <input type="checkbox"/> Eye/Sun Glasses <input checked="" type="checkbox"/> None		HANDS <input type="checkbox"/> Cloth/Leather Gloves <input type="checkbox"/> Chemical Resistant Gloves <input checked="" type="checkbox"/> None		INHALATION <input type="checkbox"/> Dust Mask <input type="checkbox"/> 1/2 Face Respirator <input type="checkbox"/> Full Face Respirator <input type="checkbox"/> SCBA <input checked="" type="checkbox"/> None		OTHER <input checked="" type="checkbox"/> Work Clothes <input type="checkbox"/> Coveralls <input type="checkbox"/> Chemical Resistant Clothes <input type="checkbox"/> Chemical Resistant Boots <input type="checkbox"/> Head Covering <input type="checkbox"/> Other _____	
					ENGINEERING CONTROLS <input type="checkbox"/> Closed System <input type="checkbox"/> Enclosed Cab <input type="checkbox"/> Enclosed Cab w/Air Purification <input checked="" type="checkbox"/> Other _____			
WITNESS/INJURED/COMPLAINANT	COMPLAINANT SIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		WAS DOCTOR VISITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		EXTENT OF INJURY/ILLNESS <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> Symptoms <input type="checkbox"/> Serious <input type="checkbox"/> Exposed Only		ACTIVITY OF PERSON EXPOSED/INVOLVED <input type="checkbox"/> Mixer/Loader <input checked="" type="checkbox"/> Field Worker* <input type="checkbox"/> Other* <input type="checkbox"/> Applicator <input type="checkbox"/> Public* Explain _____	
	NAME		AGE	SEX	WHS NO		NO. OF WORKDAYS LOST see report	
	ADDRESS		CITY		ZIP CODE		PHONE	
	MEDICAL FACILITY NAME WorkWell Clinic		<input type="checkbox"/> TREATMENT PROVIDED <input type="checkbox"/> OBSERVATION ONLY		HOSPITALIZED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		DATE/TIME ADMITTED 6/30/17 unknown time	
	PHYSICIAN n/a		ADDRESS n/a				DATE/TIME DISCHARGED 6/30/17 unknown time	
WITNESS/INJURED/COMPLAINANT	SIGNS/SYMPTOMS EXPERIENCED nausea, headache, throat irritation		EMPLOYER FMG Farm Contractor, Inc.		ADDRESS 800 5th Street, Gonzales, CA, 93926		PHONE 831-675-0007	
	PROTECTIVE MEASURES USED EYES <input type="checkbox"/> Safety Glasses <input type="checkbox"/> Goggles <input type="checkbox"/> Faceshield <input type="checkbox"/> Eye/Sun Glasses <input checked="" type="checkbox"/> None		HANDS <input type="checkbox"/> Cloth/Leather Gloves <input type="checkbox"/> Chemical Resistant Gloves <input checked="" type="checkbox"/> None		INHALATION <input type="checkbox"/> Dust Mask <input type="checkbox"/> 1/2 Face Respirator <input type="checkbox"/> Full Face Respirator <input type="checkbox"/> SCBA <input checked="" type="checkbox"/> None		OTHER <input checked="" type="checkbox"/> Work Clothes <input type="checkbox"/> Coveralls <input type="checkbox"/> Chemical Resistant Clothes <input type="checkbox"/> Chemical Resistant Boots <input type="checkbox"/> Head Covering <input type="checkbox"/> Other _____	
					ENGINEERING CONTROLS <input type="checkbox"/> Closed System <input type="checkbox"/> Enclosed Cab <input type="checkbox"/> Enclosed Cab w/Air Purification <input checked="" type="checkbox"/> Other _____			
WITNESS/INJURED/COMPLAINANT	COMPLAINANT SIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		WAS DOCTOR VISITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		EXTENT OF INJURY/ILLNESS <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> Symptoms <input type="checkbox"/> Serious <input type="checkbox"/> Exposed Only		ACTIVITY OF PERSON EXPOSED/INVOLVED <input type="checkbox"/> Mixer/Loader <input checked="" type="checkbox"/> Field Worker* <input type="checkbox"/> Other* <input type="checkbox"/> Applicator <input type="checkbox"/> Public* Explain _____	
	NAME		AGE	SEX	WHS NO		NO. OF WORKDAYS LOST see report	
	ADDRESS		CITY		ZIP CODE		PHONE	
	MEDICAL FACILITY NAME Watsonville Community Hospital		<input checked="" type="checkbox"/> TREATMENT PROVIDED <input type="checkbox"/> OBSERVATION ONLY		HOSPITALIZED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		DATE/TIME ADMITTED 6/29/17 at 0906 hrs	
	PHYSICIAN n/a		ADDRESS n/a				DATE/TIME DISCHARGED 6/29/17 at 1257 hrs	
WITNESS/INJURED/COMPLAINANT	SIGNS/SYMPTOMS EXPERIENCED nausea, shortness of breath, burning, sore and itchy throat		EMPLOYER FMG Farm Contractor, Inc.		ADDRESS 800 5th Street, Gonzales, CA, 93926		PHONE 831-675-0007	
	PROTECTIVE MEASURES USED EYES <input type="checkbox"/> Safety Glasses <input type="checkbox"/> Goggles <input type="checkbox"/> Faceshield <input type="checkbox"/> Eye/Sun Glasses <input checked="" type="checkbox"/> None		HANDS <input type="checkbox"/> Cloth/Leather Gloves <input type="checkbox"/> Chemical Resistant Gloves <input checked="" type="checkbox"/> None		INHALATION <input type="checkbox"/> Dust Mask <input type="checkbox"/> 1/2 Face Respirator <input type="checkbox"/> Full Face Respirator <input type="checkbox"/> SCBA <input checked="" type="checkbox"/> None		OTHER <input checked="" type="checkbox"/> Work Clothes <input type="checkbox"/> Coveralls <input type="checkbox"/> Chemical Resistant Clothes <input type="checkbox"/> Chemical Resistant Boots <input type="checkbox"/> Head Covering <input type="checkbox"/> Other _____	
					ENGINEERING CONTROLS <input type="checkbox"/> Closed System <input type="checkbox"/> Enclosed Cab <input type="checkbox"/> Enc. Cab w/Air Purification <input checked="" type="checkbox"/> Other _____			

COMMENTS

see report

REPORT PREPARED BY (NAME/TITLE)

Shane DeVine / Ag Biologist III

DATE PREPARED

Apr. 26, 2018

REPORT REVIEWED/APPROVED BY (NAME/TITLE)

David Sanford / Deputy Ag Commissioner

DATE REVIEWED/APPROVED

Apr. 26, 2018

STATE OF CALIFORNIA
EPISODE WITNESS/INJURED/COMPLAINANT REPORT
 PR-ENF-127B (REV. 8/07)

DEPARTMENT OF PESTICIDE REGULATION
 ENFORCEMENT BRANCH

PAGE 4 OF 43

PRIORITY INVESTIGATION <input checked="" type="checkbox"/> YES # 48-SCR 17 <input type="checkbox"/> NO		OTHER I.D. NO. CAC #17-07		COUNTY OF OCCURRENCE Santa Cruz		DATE OF OCCURRENCE MO 6 DAY 29 YR 2017	
COMPLAINANT SIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		WAS DOCTOR VISITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		EXTENT OF INJURY/ILLNESS <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> Symptoms <input type="checkbox"/> Serious <input type="checkbox"/> Exposed Only		ACTIVITY OF PERSON EXPOSED/INVOLVED <input type="checkbox"/> Mixer/Loader <input checked="" type="checkbox"/> Field Worker* <input type="checkbox"/> Other* <input type="checkbox"/> Applicator <input type="checkbox"/> Public* Explain:	
WITNESS/INJURED/COMPLAINANT	NAME		AGE	SEX	VHS NO		NO. OF WORKDAYS LOST
	ADDRESS		CITY		ZIP CODE		PHONE
	MEDICAL FACILITY NAME		<input checked="" type="checkbox"/> TREATMENT PROVIDED <input type="checkbox"/> OBSERVATION ONLY		HOSPITALIZED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		DATE/TIME ADMITTED
	PHYSICIAN		ADDRESS		DATE/TIME DISCHARGED		PHONE
	SIGN/SYMBOLS EXPERIENCED		ADDRESS		DATE/TIME DISCHARGED		PHONE
EMPLOYER		ADDRESS		DATE/TIME DISCHARGED		PHONE	
PROTECTIVE MEASURES USED EYES <input type="checkbox"/> Safety Glasses <input type="checkbox"/> Goggles <input type="checkbox"/> Faceshield <input type="checkbox"/> Eye/Sun Glasses <input checked="" type="checkbox"/> None		HANDS <input type="checkbox"/> Cloth/Leather Gloves <input type="checkbox"/> Chemical Resistant Gloves <input checked="" type="checkbox"/> Other		INHALATION <input type="checkbox"/> Dust Mask <input type="checkbox"/> 1/2 Face Respirator <input type="checkbox"/> Full Face Respirator <input checked="" type="checkbox"/> SCBA <input type="checkbox"/> None		OTHER <input checked="" type="checkbox"/> Work Clothes <input type="checkbox"/> Coveralls <input type="checkbox"/> Chemical Resistant Clothes <input type="checkbox"/> Chemical Resistant Boots <input type="checkbox"/> Head Covering <input type="checkbox"/> Other	
ENGINEERING CONTROLS <input type="checkbox"/> Closed System <input type="checkbox"/> Enclosed Cab <input type="checkbox"/> Enclosed Cab w/Air Purification <input checked="" type="checkbox"/> Other							

COMPLAINANT SIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		WAS DOCTOR VISITED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		EXTENT OF INJURY/ILLNESS <input type="checkbox"/> Fatal <input type="checkbox"/> Symptoms <input type="checkbox"/> Serious <input type="checkbox"/> Exposed Only		ACTIVITY OF PERSON EXPOSED/INVOLVED <input type="checkbox"/> Mixer/Loader <input type="checkbox"/> Field Worker* <input type="checkbox"/> Other* <input type="checkbox"/> Applicator <input type="checkbox"/> Public* Explain:	
WITNESS/INJURED/COMPLAINANT	NAME		AGE	SEX	VHS NO		NO. OF WORKDAYS LOST
	ADDRESS		CITY		ZIP CODE		PHONE
	MEDICAL FACILITY NAME		<input type="checkbox"/> TREATMENT PROVIDED <input type="checkbox"/> OBSERVATION ONLY		HOSPITALIZED <input type="checkbox"/> YES <input type="checkbox"/> NO		DATE/TIME ADMITTED
	PHYSICIAN		ADDRESS		DATE/TIME DISCHARGED		PHONE
	SIGN/SYMBOLS EXPERIENCED		ADDRESS		DATE/TIME DISCHARGED		PHONE
EMPLOYER		ADDRESS		DATE/TIME DISCHARGED		PHONE	
PROTECTIVE MEASURES USED EYES <input type="checkbox"/> Safety Glasses <input type="checkbox"/> Goggles <input type="checkbox"/> Faceshield <input type="checkbox"/> Eye/Sun Glasses <input type="checkbox"/> None		HANDS <input type="checkbox"/> Cloth/Leather Gloves <input type="checkbox"/> Chemical Resistant Gloves <input type="checkbox"/> Other		INHALATION <input type="checkbox"/> Dust Mask <input type="checkbox"/> 1/2 Face Respirator <input type="checkbox"/> Full Face Respirator <input type="checkbox"/> SCBA <input type="checkbox"/> None		OTHER <input type="checkbox"/> Work Clothes <input type="checkbox"/> Coveralls <input type="checkbox"/> Chemical Resistant Clothes <input type="checkbox"/> Chemical Resistant Boots <input type="checkbox"/> Head Covering <input type="checkbox"/> Other	
ENGINEERING CONTROLS <input type="checkbox"/> Closed System <input type="checkbox"/> Enclosed Cab <input type="checkbox"/> Enclosed Cab w/Air Purification <input type="checkbox"/> Other							

COMPLAINANT SIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		WAS DOCTOR VISITED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		EXTENT OF INJURY/ILLNESS <input type="checkbox"/> Fatal <input type="checkbox"/> Symptoms <input type="checkbox"/> Serious <input type="checkbox"/> Exposed Only		ACTIVITY OF PERSON EXPOSED/INVOLVED <input type="checkbox"/> Mixer/Loader <input type="checkbox"/> Field Worker* <input type="checkbox"/> Other* <input type="checkbox"/> Applicator <input type="checkbox"/> Public* Explain:	
WITNESS/INJURED/COMPLAINANT	NAME		AGE	SEX	VHS NO		NO. OF WORKDAYS LOST
	ADDRESS		CITY		ZIP CODE		PHONE
	MEDICAL FACILITY NAME		<input type="checkbox"/> TREATMENT PROVIDED <input type="checkbox"/> OBSERVATION ONLY		HOSPITALIZED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		DATE/TIME ADMITTED
	PHYSICIAN		ADDRESS		DATE/TIME DISCHARGED		PHONE
	SIGN/SYMBOLS EXPERIENCED		ADDRESS		DATE/TIME DISCHARGED		PHONE
EMPLOYER		ADDRESS		DATE/TIME DISCHARGED		PHONE	
PROTECTIVE MEASURES USED EYES <input type="checkbox"/> Safety Glasses <input type="checkbox"/> Goggles <input type="checkbox"/> Faceshield <input type="checkbox"/> Eye/Sun Glasses <input type="checkbox"/> None		HANDS <input type="checkbox"/> Cloth/Leather Gloves <input type="checkbox"/> Chemical Resistant Gloves <input type="checkbox"/> Other		INHALATION <input type="checkbox"/> Dust Mask <input type="checkbox"/> 1/2 Face Respirator <input type="checkbox"/> Full Face Respirator <input type="checkbox"/> SCBA <input type="checkbox"/> None		OTHER <input type="checkbox"/> Work Clothes <input type="checkbox"/> Coveralls <input type="checkbox"/> Chemical Resistant Clothes <input type="checkbox"/> Chemical Resistant Boots <input type="checkbox"/> Head Covering <input type="checkbox"/> Other	
ENGINEERING CONTROLS <input type="checkbox"/> Closed System <input type="checkbox"/> Enclosed Cab <input type="checkbox"/> Enc. Cab w/Air Purification <input type="checkbox"/> Other							

COMMENTS

ee report

REPORT PREPARED BY (NAME/TITLE) Shane DeVine / Ag Biologist III	DATE PREPARED Apr. 26, 2018	REPORT REVIEWED/APPROVED BY (NAME/TITLE) David Sanford / Deputy Ag Commissioner	DATE REVIEWED/APPROVED Apr. 26, 2018
--	--------------------------------	--	---

ED_002917_00142366-00043

Pesticide Illness Priority Investigation Report
Coastal Berry - North
Priority Episode #49-SCR-17
Santa Cruz County Case #17-07

Summary

On the morning of June 29, 2017, the Santa Cruz County Agricultural Commissioner's Office was notified of a possible pesticide exposure episode. Investigation of the incident revealed 24 employees of farm labor contractor FMG Farm Contractor, Inc. were harvesting raspberries for Coastal Berry - North when a pesticide application began on a neighboring field operated by Garrett Farms. Fifteen of the 24 employees experienced one or more of the physical symptoms nausea, vomiting, stomachache, headache, dizziness, difficulty breathing, high temperature, dry mouth, a bad taste in their mouth, and throat, eye and skin irritation. As a result of said symptoms, five employees were transported by ambulance to a local hospital immediately following the pesticide exposure incident, another employee arrived by private vehicle at the same hospital that same morning, and two additional employees obtained professional medical care at a local clinic the following day. Environmental sampling performed at the incident site indicates the pesticides applied at Garrett Farms moved off site and into the Coastal Berry - North field where FMG employees were working. Said application was made by an employee under the primary direction and control of farm labor contractor Los Amigos Harvesting. Coastal Berry - North, FMG Farm Contractor, Inc. and Los Amigos Harvesting were found in violation of the California Code of Regulations (CCR) and/or the California Food and Agricultural Code (FAC).

Violations (referenced regulations and laws comprise Attachments 2 and 3, respectively)

Coastal Berry - North

3 CCR 6626(a)

3 CCR 6723.1(a) and (b)

FMG Farm Contractor, Inc.

3 CCR 6764(a), (b) and (e)

3 CCR 6766(c)

Los Amigos Harvesting

3 CCR 6600(b) and (e)

3 CCR 6614

3 CCR 6626(b)

3 CCR 6702(a) and (b)(3) and (5)

3 CCR 6724(b)

FAC 11701

FAC 11732

FAC 12973

Witnesses / Contacts

Arellano, Veronica
Medical Front Office Receptionist
Custodian of Medical Records
WorkWell Medical Group
901 Sunset Drive, Suite 4
Hollister, CA 95023
(831)665-6709

Brenner, Brenda
Emergency Medical Services Administrator
Santa Cruz County
1080 Emeline Ave., Bldg. D
Santa Cruz, CA 95060
(831)454-4751

DeVine, Shane (investigator)
Agricultural Biologist III
Agricultural Commissioner's Office
Santa Cruz County
175 Westridge Drive
Watsonville, CA 95076
(831)763-8080

Galvan, Melchor
Pesticide Applicator
Los Amigos Harvesting
401 Hames Road
Watsonville, CA 95076
(831)768-6944

Garrett, Patty
Office Manager
Los Amigos Harvesting
401 Hames Road
Watsonville, CA 95076
(831)768-6944

Garrett, Steve
Owner
Garrett Farms
P.O. Box 1647
Freedom, CA 95019
(831)724-5854

Guerra, Louie
Senior Environmental Scientist (Supervisory)
Central Regional Office
Department of Pesticide Regulation
395 W. Spruce Ave., #103
Clovis, CA 93611
(559) 297-3511

Hidalgo, Juan
Agricultural Commissioner
Agricultural Commissioner's Office
Santa Cruz County
175 Westridge Drive
Watsonville, CA 95076
(831)763-8080

Leon, Francisco
Environmental Specialist
Central Regional Office
Department of Pesticide Regulation
395 W. Spruce Ave., #103
Clovis, CA 93611
(559)297-5418

Meyer, Rosa
Administrative Analyst
Watsonville Fire Department
372 Airport Blvd.
Freedom, CA 95019
(831)768-3209

Oceguera, Anthony
Attorney at Law
The Saqui Law Group
512 Pajaro Street, Suite 14
Salinas, CA 93901
(831)443-7100

Ortiz, Oscar
Truck Driver
Los Amigos Harvesting
401 Hames Road
Watsonville, CA 95076
(831)768-6944

Ramirez, Jose
Authorized Representative
Coastal Berry - North
480 West Beach Street
Watsonville, CA 95076
(831)902-7310

Resendiz, Jose
Supervisor
Los Amigos Harvesting
401 Hames Road
Watsonville, CA 95076
(831)768-6944

Ruiz, Vanessa
FMG Farm Contractor, Inc.
800 5th Street
Gonzales, CA 93926
(831)675-0007

Sanford, David
Deputy Agricultural Commissioner
Agricultural Commissioner's Office
Santa Cruz County
175 Westridge Drive
Watsonville, CA 95076
(831)763-8080

Stevens, Brian, RN
Director of Emergency Room Nursing
Watsonville Community Hospital
75 Nielson Street
Watsonville, CA 95076
(831)724-4741

Tittle, Morgan
Supervisor
Los Amigos Harvesting
401 Hames Road
Watsonville, CA 95076
(831)768-6944

Vasquez, David
Supervisor
Coastal Berry - North
480 West Beach Street
Watsonville, CA 95076
(831)241-8276

Vinuela, Alberto
Agricultural Biologist III
Agricultural Commissioner's Office
Santa Cruz County
175 Westridge Drive
Watsonville, CA 95076
(831)763-8080

Yanez, Freddie
Caneberry Manager
Dole Fresh Foods
480 West Beach Street
Watsonville, CA 95076
(831)345-9917

Investigation and Statements

On the morning of June 29, 2017, the Santa Cruz County Agricultural Commissioner's Office (CAC) was notified of a possible pesticide exposure incident near the intersection of Wagner and East Lake Avenues in Watsonville, California. At approximately 0910 hours while performing routine surveillance in the field I received a telephone call from the CAC office requesting I

investigate referenced incident. At 0925 hours I arrived on site and observed a large field of hoop houses northwest of referenced intersection. Said field was comprised of numerous individual lots of hoop houses and one lot without hoop houses near the center, all of which appeared to contain raspberry plants. Review of CAC records indicates referenced field was occupied by two different growers: Coastal Berry - North and Garrett Farms, California Restricted Material Permit numbers 44-17-27P192A and 44-17-440168A, respectively (Attachment 4 and 5, respectively). A wide earthen service road running north to south separates the two growers' fields with Coastal Berry - North (also referred to as "Dole Fresh Foods") site 21A Bronson Ranch of 42 acres on the west side of said road, and Garrett Farms site 1A Nugent Ranch of 66.4 acres to the east. Weather on site was overcast with little to no wind.

Moments after my arrival I encountered Jose Ramirez, Authorized Representative for Coastal Berry - North. With J. RAMIREZ were Dole Fresh Foods Caneberry Manager Freddy Yanez and Coastal Berry - North Supervisor David Vasquez. I informed said men I was investigating a possible pesticide exposure incident. In response to my questions, J. RAMIREZ stated the following in summary.

I just happened to be at our site 21A Bronson Ranch this morning. When I arrived the fire department and ambulances were already here. The fire department was washing down some of the FMG fieldworkers with a hose. FMG Farm Contractor is a farm labor contractor we hire for picking berries. I did not talk directly with employees of FMG or neighboring Garrett Farms nor did I see Garrett Farms making a pesticide application. It was from my staff on site I learned Garrett Farms made a pesticide application in their open raspberry field directly across the service road from where the FMG fieldworkers were working. There is a shade house on the side of the service road and next to our field where FMG employees were stacking their flats of raspberries upon a harvesting trailer. I understand the incident occurred around 8:00 a.m. Five FMG employees were taken to the hospital. Apparently the Garrett Farms applicator was told to stop the application when the fieldworkers started getting sick, but I do not know who told him to stop. FMG employees are no longer on site. One of our employees was washing off one of our application spray rigs this morning, but we did not make a pesticide application today. We made a pesticide application to our site 21A, block #8, yesterday with a start time of 8:15 p.m. and finish time of 9:30 p.m. This morning FMG employees were working in block #7, which is southwest of block #8.

In response to my questions, F. YANEZ stated the following in summary.

I have been Caneberry Manager for Dole Fresh Foods for the past two years. Coastal Berry - North is one of our local growing operations. Earlier this morning I received a telephone call from David Vasquez, Supervisor with Coastal Berry - North, informing me FMG employees at their site 21A Bronson Ranch had become ill as a result of exposure to a pesticide applied by neighboring Garrett Farms. Approximately 10 minutes later I arrived on site and was provided additional information regarding the incident by Supervisor Vasquez. By this time the pesticide application had stopped and the fire truck and ambulances had already left to take the sick fieldworkers to Watsonville Hospital. I noticed a slight breeze coming from the Garrett Farms ranch toward our Bronson Ranch. I did not know Garrett Farms would be applying pesticides this morning and did not notice if their field was posted with pesticide application signs. The fruit harvested by FMG may

have been contaminated with pesticide so I had it destroyed. I instructed staff on site not to allow anyone to enter the lot where FMG employees were working until the restricted entry intervals for the materials applied had expired.

Spanish speaking D. VASQUEZ was not interviewed at this time but interviewed later on July 5, 2017 (see below).

After speaking with Coastal Berry - North and Dole Fresh Foods personnel I drove north along the service road that separates Coastal Berry - North and Garrett Farms and saw no FMG employees or a pesticide application. I drove through the Garrett Farms field and at approximately 0945 hours arrived at their business office near the southeast end of the field, informed office personnel of my investigation and was referred to Garrett Farms Authorized Representative Morgan Tittle. At 0950 hours I telephoned M. TITTLE who in response to my questions stated the following in summary.

I was not at our site 1A Nugent Ranch this morning but spoke with our onsite Supervisor Jose Resendiz who said a pesticide application was made to our open field of raspberries, that is Driscoll Lot #9863. Prior to making the application our employee pesticide handler Melchor Galvan spoke with fieldworkers in the neighboring Coastal Berry - North field and informed them he would be making a pesticide application. After the fieldworkers moved to the other side of their field, further away from our site 1A, pesticide handler Galvan began the application starting 15 rows, approximately 30 feet, back away from the service road that separates our field from that of Coastal Berry - North. The rows in that open raspberry field run parallel to the service road. The application started at 8:00 a.m. and lasted only 5 minutes or so before Supervisor Resendiz received a call from Coastal Berry - North indicating their fieldworkers in the neighboring field were getting sick. Immediately thereafter Supervisor Resendiz proceeded to the application area and instructed pesticide handler Galvan to stop the application. The pesticides applied this morning were DiPel DF, Pristine Fungicide, Rally 40WSP, and Widespread Max. I will e-mail to you the application recommendation that lists the pesticides and their EPA Registration Numbers.

Records indicate M. TITTLE has valid Private Applicator Certificate #PA-SCR-0884, issued by the Santa Cruz CAC, with expiration date December 31, 2017.

After my telephone conversation with M. TITTLE I continued to drive through Garrett Farms site 1A looking for evidence of a pesticide application. Just north of the open raspberry field I observed a pesticide application rig parked across a service road between two lots of Garrett Farms hoop houses. A wooden post at the west end of said service road had the markings "A13B" (Attachment 26, photo #6). This service road is perpendicular to the larger service road that separates the Coastal Berry - North and Garrett Farms ranches. Said rig was unattended and no pesticide containers were observed in the vicinity. After taking photographs of said rig (Attachment 26, photos 2, 3 and 4), I proceeded back to the area of the purported pesticide exposure incident and began taking photographs of same (Attachment 26, photos 1, 8, 10, 11, and 12). Santa Cruz County Agricultural Commissioner Juan Hidalgo was informed of the possible pesticide exposure incident and arrived on site. After briefing J. HIDALGO on my investigative findings, we proceeded to the Coastal Berry - North equipment yard at the south end of their site 21A. Coastal Berry - North employees at said yard indicated they had no knowledge of the purported pesticide exposure incident. J. HIDALGO and I then proceeded north along a service

road that bisects Coastal Berry - North site 21A whereupon we encountered fieldworkers harvesting raspberries in a lot to the west of said road. Speaking in Spanish, J. HIDALGO interviewed the crew foreman Mr. Hilario Ramirez who stated they were Coastal Berry - North employees and they had no knowledge of the purported pesticide exposure incident. J. HIDALGO and I then proceeded to Watsonville Community Hospital, Watsonville, California where FMG employees were taken that were exhibiting physical symptoms of pesticide exposure reportedly as a result of referenced incident.

Upon arrival at Watsonville Community Hospital Emergency Room (ER) J. HIDALGO and I spoke with Mr. Brian Stevens, RN, Director of ER Nursing. B. STEVENS indicated six individuals were seen at the ER that morning complaining of pesticide exposure. All six were part of the purported pesticide exposure incident under investigation. Five of the individuals arrived by ambulance and one by some other means. Of the six individuals, three were still at the ER: [REDACTED] J. HIDALGO, speaking in Spanish, obtained a statement and signed Medical Information Authorization form from [REDACTED] while I did the same with both [REDACTED] and [REDACTED]. Summaries of statements made by [REDACTED] and [REDACTED] appear hereinafter.

Upon return to the CAC office, J. HIDALGO and I concurred the purported pesticide exposure incident warranted environmental sampling. Environmental Specialist Francisco Leon of the California Department of Pesticide Regulation (DPR) was consulted regarding environmental sampling and a raspberry plant foliar 'five point gradient' sampling plan was deemed most applicable. Said sampling plan is defined in DPR's *Pesticide Use Enforcement Program Standards Compendium, Volume #5, Investigation Procedures*.

On this same date, Agricultural Biologist Alberto Vinuela and I gathered all necessary sampling equipment and supplies and proceeded to Coastal Berry - North site 21A to execute referenced sampling plan. Once on site, calculations were made to establish individual sampling points at specific distances along a transect orientated longitudinally between neighboring raspberry plant rows identified as "5B" and "A6" at Coastal Berry - North site 21A, and projecting through the shade house, across the service road and into the Garrett Farms open raspberry field (Attachment 26, photo 11 and 12). A 300 foot tape measure and Bushnell Scout 1000 ARC Laser Rangefinder were used to measure sampling point locations along said transect. As each sampling point was located it was marked with an irrigation flag. Sample collection started at 1539 hours. The first sample collected was sample number 1 taken on the west end of said transect and farthest from the pesticide application area. Samples number 2 through 5 were taken in numerical order proceeding west to east along referenced transect at predetermined locations. Each of the five samples was comprised of approximately one and one-half pounds of raspberry plant leaves collected from plants along the south side of aforesaid row identified as "A6" and the north side of row "5B" (Attachment 26, photo 11 and 12). Leaves were taken from plants along referenced rows up to approximately 12 feet in either direction from the measured sampling point and at various heights above the ground. Leaves collected at a single sampling point were deposited in a separate large brown paper bag, said bag folded closed, labeled with a unique identification code number and then placed in a large plastic bag. The open end of the outer plastic bag was twisted shut and secured by tying it in a knot. After each sample was bagged, it was placed in a large insulated ice chest containing seven packets of "blue ice," with each packet weighing approximately 20 ounces. Clean latex gloves were donned prior to the collection of each sample. While on site a map/diagram was made to illustrate the location of the individual sample collection points

(Attachment 15). After collection of all samples, A. VINUELA and I returned to the CAC office where said samples were placed in a refrigerator for storage at 1850 hours.

After further consideration of the sampling plan, it was determined an additional foliar sample should be taken along aforementioned transect and at the edge of the Coastal Berry - North field adjacent to the service road and shade house (Attachment 15). This sixth sample was taken on July 1, 2017, at 0835 hours by A. VINUELA. Said sample was collected using the same protocol as used with the five samples referenced heretofore. The sample collected at sample site number 6 was deposited in the CAC refrigerator for storage on this same date at 0955 hours.

On June 30, 2017, at 0945 hours, [REDACTED] foreman of the FMG crew working at Coastal Berry - North site 21A when the purported pesticide exposure incident occurred, sent an e-mail to J. HIDALGO along with a list of the 24 FMG employees present during said incident (Attachment 20). An alphabetized and annotated version of referenced list was generated to facilitate clarity (Attachment 20). Of the 24 employees, eight obtained professional medical care due to physical symptoms they experienced as a result of the purported pesticide exposure incident on June 29, 2017. Over time, the entire crew was interviewed, excepting Miguel Jimenez who could not be contacted. Summaries of statements made during said interviews appear hereinafter.

On this same date, at 0950 hours, Vanessa Ruiz of FMG Farm Contracting, Inc. telephoned our office and requested Safety Data Sheets (SDS) for the pesticides their employees were purportedly exposed to while working at Coastal Berry - North site 21A on the morning of June 29, 2017. The SDSs requested were e-mailed to V. RUIZ at 1130 hours this same date.

On this same date, at 1146 hours, I contacted by e-mail the Label Resource Center of DPR, Pesticide Registration Branch, and requested registered labels for pesticides applied to Garrett Farms site 1A Nugent Ranch on June 29, 2017, i.e., pesticides DiPel DF, Pristine Fungicide, Rally 40WSP, and Widespread Max. On this same date, at 1206 hours, I received said labels by e-mail.

On this same date, at 1331 hours, I spoke by telephone with M. TITTLE who conveyed additional information pertinent to the purported pesticide exposure incident on June 29, 2017. M. TITTLE stated the following in summary.

Our pesticide application at site 1A on the morning of June 29th lasted only 5 minutes. We stopped the application once we were notified fieldworkers in the neighboring Coastal Berry - North field were reportedly experiencing symptoms of pesticide exposure. We resumed the application at 6:00 p.m. that evening when no one was present. Information on the Weather Underground website indicates there was no wind that morning. Ninety percent of the time winds in that area are from west to east, blowing from the Coastal Berry - North field toward our field. One of our employees on site that morning observed pesticide application signs posted at the Coastal Berry - North field and one of their employees rinsing off a pesticide application rig. Perhaps Coastal Berry - North made a pesticide application that morning as well.

On this same date, at 1425 hours, I spoke by telephone with Division Chief Rudy Lopez of the Watsonville Fire Department. In response to my questions R. LOPEZ stated the following in summary.

I do not at present have the time our crew arrived on scene, but the reported incident occurred at approximately 8:30 a.m. on June 29th. Reportedly a crew of 25 [sic] fieldworkers was exposed to a spray fungicide. The captain on scene made contact with the one sick patient. An additional four people became sick while we were on scene. The fieldworker supervisor provided a material information sheet indicating the fungicide was water soluble. The workers were removed from the hazardous area and given gross decon, that is washed down with water for a few minutes. Two AMR ambulances, that arrived on scene the same time we did, took the patients to the hospital; three patients in one ambulance and two patients in the other. You may obtain a copy of our incident report by contacting Fire Department Analyst Rosa Meyer at (831)768-3209. Reference #FD016052 when requesting the report.

On this same date, at 1453 hours, I telephoned Fire Department Analyst Rosa Meyer and in a voicemail message identified myself and requested a copy of Watsonville Fire Department's incident report #FD016052 regarding the purported pesticide exposure incident on June 29, 2017.

On this same date (and on dates indicated below), A. VINUELA, speaking in Spanish, interviewed in person all eight FMG employees that obtained professional medical care due to physical symptoms they experienced as a result of the purported pesticide exposure incident on June 29, 2017. The following summaries of FMG employee interview statements include information obtained during the interviews conducted by J. HIDALGO and myself with the three FMG employees at Watsonville Community Hospital on the morning of June 29, 2017.

Date of interview: July 3, 2017

Subject: [REDACTED]

Interviewer: A. VINUELA

I have been an employee of FMG for one and one half months. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. A pesticide applicator from the neighboring ranch came to the harvesting trailer where we were working and asked how long we would be there. He told us to let him know if we began to smell his pesticide application. He started spraying the first row of plants along the service road, about 30 to 40 feet away. When he finished that row, he shut off his tractor spray rig, came back to where he started and continued the application down the first aisle. I didn't know what he was spraying, but I saw the mist drifting toward us and there was a bad odor in the air. After about five or ten minutes I experienced stomachache, vomiting and a bad taste in my mouth. I told my supervisor about my symptoms. She told everyone to go to the other side of the field. I couldn't tell if the application stopped because I was on the other side of the field. I was taken to the hospital by ambulance. I have had headaches since the exposure and missed a couple days work. I received fieldworker safety training from FMG before starting work. Decontamination facilities were available in the field and I used them to wash my face. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented if the supervisor of the other field would have notified the supervisor of Coastal Berry - North.

Date of interview: June 29, 2017 and June 30, 2017

Subject: [REDACTED]

Interviewer: Shane DeVine (June 29, 2017) and A. VINUELA (June 30, 2017)

I have been an employee of FMG for one year. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I was one of 24 fieldworkers harvesting fruit. I was the crew foreman. Three of us were at the harvesting trailer under the shade house where we collect fruit and punch the fieldworker's cards. Sometime around 8 to 8:30 a.m. a pesticide applicator from the neighboring field came to us and asked how long we would be working in that area. I told him we would be there about 45 minutes to an hour. He said he had to start a pesticide application and asked us to say something if we felt the pesticide spray. He started the application right in front of us on the edge of the neighboring ranch just across the service road, about 30 feet away, spraying the plants on his right. The spray rig was a tractor with two or three spray tubes on the side. We immediately saw the pesticide drifting toward us. It was overcast and the wind was not blowing constantly, but some gusts were blowing in our direction. We were exposed to the pesticide. Even the trailer table was wet with pesticide. One crew member started vomiting then others started complaining of itchy eyes and nausea. I told the entire crew to get back and to move to the opposite side of the block, I honked the truck's horn and after everyone had moved to the other side of the block I moved the truck and trailer. I called David the Dole supervisor, Ignacio Quiroz my supervisor at FMG and 911. The applicator didn't stop the application. I didn't know what he was spraying, but there was a strong odor. I got pesticide on my skin and clothes. After about 10 minutes firefighters came to the field, showered some of us and then we were taken to the hospital. [REDACTED] and I went in one ambulance and [REDACTED] and [REDACTED] in another ambulance. After the incident [REDACTED] went home, began feeling ill and his relative drove him to the hospital. A total of six people went to the hospital and all of us were released a few hours later. [REDACTED] and [REDACTED] came to work the next day, but they were feeling sick so they were sent to Mar Monte Clinic. [REDACTED] went back to the hospital the day after the incident. Immediately after the pesticide application started I experienced stomachache, nausea, throat irritation and was vomiting. I am still experiencing stomach discomfort and dizziness today. I received fieldworker safety training from FMG this year. We always have decontamination facilities in the field, but I didn't use them that morning. I knew the location of the emergency medical facility where I was to go to receive care if needed. Should a medical facility not be reasonably accessible from where I am working the procedure is to call 911 and my supervisor if I need care. The PSIS A-9 is in a binder and the Application-Specific Information was on the Coastal Berry - North ranch board. I do not know if the Safety Data Sheets were with the Application-Specific Information. I believe this incident could have been prevent if we would have been informed of the scheduled pesticide application.

Date of interview: July 3, 2017

Subject: [REDACTED]

Interviewer: A. VINUELA

I have been an employee of FMG for one month. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I saw a tractor applying pesticide to the plants on the first row inside the block in front of us. I didn't know what

they were applying, but there was a very bad odor. I saw the spray coming toward us, it was only 30 or 40 feet away. Right after the application began I experienced eye irritation, headache, itching on my hands, dizziness, nausea and vomiting. Our foreman told everyone to go to the other side of the block. The pesticide applicator didn't stop the application. I did not go to the hospital the day of the exposure incident, but went the following day to the clinic. I'm almost well now, kind of sleepy and still have some itching. Today I went to the clinic again for a follow-up. I have not received fieldworker safety training within the past year. Decontamination facilities were available in the field and I used them to wash my hands. Mar Monte Clinic was where we were to go to receive emergency medical care if needed. When a medical facility is not reasonably accessible from where I am working the procedure is to inform my foremen if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe communications and meetings explaining general rules could have prevented this incident.

Date of interview: June 29, 2017 and July 5, 2017

Subject: [REDACTED]

Interviewer: S. DEVINE (June 29, 2017) and A. VINUELA (July 5, 2017)

I have been an employee of FMG since last May. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I was coming out from the row I was harvesting in and saw the pesticide applicator. He was driving his spray rig, a tractor with tubes, through the third row in the block in front of us, approximately 60 feet away. I didn't know what he was applying, but I could smell it and I saw the spray cloud drifting toward us because of the breeze. I experienced throat and eye irritation and was vomiting. The crew foreman could see people getting sick, so she moved the crew to the other side of the lot away from the pesticide application. After we moved I saw the foreman vomiting and other people getting sick. I don't think the applicator stopped the application, but I'm not sure because we were told to go to the other side of the block. I went home after the incident, took a shower, but didn't feel well so my sister drove me to the hospital. I feel alright now, but I'm still using eye drops. I received fieldworker safety training before starting work. Decontamination facilities were available in the field, but I didn't use them. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was aware of the PSIS A-9's location, but not where the grower's pesticide use records were nor where the Application-Specific Information was. I believe such an incident could have been prevented if notification were given before applying pesticides when people are working nearby.

Date of interview: June 29, 2017 and July 3, 2017

Subject: [REDACTED]

Interviewer: J. HIDALGO (June 29, 2017) and A. VINUELA (July 3, 2017)

I have been an employee of FMG for one month. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. Sometime around 8:30 to 8:40 in the morning I sensed a very strong and bad odor. I could see the application tractor about 30 or 40 feet away from us. I didn't know what was being applied, but I saw a cloud of pesticide. The weather was overcast and there was a slight wind, but I don't remember in what direction. About five minutes after the application started my eyes became irritated. My eyes were burning and

itching for about an hour. I informed the foreman of my symptoms. She was warning everyone about the exposure, honking the horn of the truck and telling us to go to the other side of the field. They kept applying the pesticide. I was taken to the hospital that morning by ambulance. The day after the incident I went to work, but decided to go back home because I wasn't feeling well, I had a headache. I received fieldworker safety training before the season began. Decontamination facilities are always in the field, but I didn't use them that morning. I washed my eyes using my own water. My employer did not inform me of the location of an emergency medical facility where I could go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented if the other company would have notified our foreman.

Date of interview: July 3, 2017

Subject: [REDACTED]

Interviewer: A. VINUELA

I have been an employee of FMG for two or three weeks. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I saw a tractor about 30 to 40 feet away applying pesticide to the plants along the service road on the outside of the block in front of us. After about five minutes my throat became irritated, I was nauseous and had a headache. The foreman told everyone to go to the other side of the block. I didn't know what was being applied, but I sensed a bad odor and could see the mist coming toward us. I don't know how long the application lasted, for the crew was moved to the opposite side of the block and I couldn't see. My symptoms lasted all day, but I didn't go to the hospital. The day after the exposure incident I went to work, but wasn't feeling well so I was told to go the clinic. I received fieldworker safety training before starting work. Decontamination facilities are always in the field and I used them that morning to wash myself. My employer informed me of the location of an emergency medical facility where I could go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I knew the location of the PSIS A-9, but not where the grower's pesticide use records were located nor where the Application-Specific Information was. I believe the incident could have been prevented by notification prior to the application or by making applications at night.

Date of interview: July 5, 2017

Subject: [REDACTED]

Interviewer: A. VINUELA

I have been an employee of FMG since last May. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I was working on the table at the harvesting trailer with our foreman when a pesticide applicator came to us and asked if we would be staying in the area. The foreman said yes. He started to apply pesticides on the corner of the field in front of us, proceeded along the first row of plants by the service road and toward where we were. He was probably 40 to 50 feet away. I didn't know what was being applied, but I smelled a very bad odor and saw the mist coming toward us. Right after the application started I experienced throat irritation, a bad taste in my mouth, nausea and my face itched. I did not inform the foreman of my symptoms. She was already aware of the exposure and told everyone to go to the other side of the field. I don't know how long the application lasted. I was taken by ambulance to the hospital that morning. I went back to the hospital the following day because I

felt nauseous. I was feeling sick until Tuesday, July 4th. I feel fine now, but will go to the clinic for a follow-up this Friday. I received fieldworker safety training from my employer before the season started. Decontamination facilities were at the field and I used them to wash my face. My employer informed me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. The PSIS A-9 was in the truck, but I was not informed where the grower's pesticide use records were nor the location of the Application-Specific Information. I believe the incident could have been avoided if the fieldworkers and the pesticide applicator had reached an agreement before applying the chemicals.

Date of interview: July 3, 2017

Subject: [REDACTED]

Interviewer: A. VINUELA

I have been an employee of FMG since last May. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I came out of the row I was picking in and saw the applicator applying pesticide by the service road in the block right in front of us. He was approximately 30 feet away. I didn't know what was being applied, but there was a very bad odor and I could see the mist coming toward us. Soon after the application started I began to experience a bad taste in my mouth, excess saliva, vomiting and difficulty breathing. I told the foreman about my symptoms. She told everyone to move to the other side of the block. I didn't see the pesticide application stop. My difficulty breathing stopped after I was showered by the firefighters in the field. I was taken by ambulance to the hospital where I was showered again. Later that afternoon I had a headache and high temperature. I still feel a little weak and sore, like when you have a flu. Before starting work I received fieldworker safety training. Decontamination facilities were available in the field and I used them that morning to wash my hands. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented by communication between the two supervisors. The applicator, after seeing the people working nearby, should not have applied the pesticide.

On this same date, June 30, 2017 (and on dates indicated below), A. VINUELA, speaking in Spanish, interviewed 15 FMG employees (14 in person and one by telephone) that were present when the purported pesticide exposure incident occurred, yet who did not seek professional medical care. (FMG employee M. JIMENEZ was also present during referenced incident but could not be contacted for an interview.)

Date of interview: July 3, 2017

Subject: Albor, Ricardo

Interviewer: A. VINUELA

I have been an employee of FMG since last May, 2017. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I was working in the hoop house tunnel and didn't see the application. I just heard people talking about it. Our foreman told everyone to go to the other side of the block. I didn't experience any symptoms during the incident. When I arrived home that afternoon I began feeling throat irritation and itching on my

face. The next day I felt fine. I received fieldworker safety training within the past year. Decontamination facilities were available in the field, but I didn't need to use them. My employer informed me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman or call 911 if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented if advance notification were given.

Date of interview: June 30, 2017
Subject: Avila, Angel
Interviewer: A. VINUELA

I started working for FMG on June 28th. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I saw a tractor 30 or 40 feet away applying pesticide in the field in front of us. I didn't know what they were applying, but I could see the mist. I can't say if it was drifting or not. I didn't experience any symptoms of pesticide exposure. The crew foreman told us to get out of the field on the other side. I don't know if the application ever stopped. I received fieldworker safety training before the start of work. Decontamination facilities were available in the field, but I didn't need to use them. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented through communication and taking care of people working in the fields.

Date of interview: June 30, 2017
Subject: Beristain, Brian
Interviewer: A. VINUELA

I started working for FMG one month ago. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I saw a tractor applying pesticide in the block in front of us. He was more than 100 feet away. I didn't see any pesticide mist drifting, nor did I experience pesticide exposure. The crew foreman told everyone to get out of the block on the other end. The applicator didn't stop the application. I received fieldworker training before starting work. Decontamination facilities were available at the field, but I did not need to use them. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented through advance notification.

Date of interview: July 3, 2017
Subject: Camarillo, Carlos
Interviewer: A. VINUELA

I started working for FMG one week ago. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I saw a tractor spraying pesticide along the service

road outside the block in front of us. The applicator was 30 to 40 feet away from us. I didn't know what was being applied, but there was a bad strange odor. I could see the pesticide mist drifting to where we were working. The wind was blowing toward us. Our foreman told everyone to get out of the block on the opposite end. I didn't experience any symptoms until one half hour after the incident. I was dizzy and had a dry mouth. My symptoms lasted about two or three hours. I am not sure if the applicator stopped the application, for I moved to the other side of the block and couldn't see. I have not received fieldworker safety training. I only started working one week ago. Decontamination facilities were at the field, but I didn't use them. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I did know the location of the PSIS A-9, but not where the grower's pesticide use records were nor the location of the Application-Specific Information. I believe the incident could have been prevented through advance notification.

Date of interview: July 3, 2017

Subject: Camarillo, Isabel

Interviewer: A. VINUELA

I have been an employee of FMG since the middle of May this year. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. A tractor started to spray the plants in the block in front of us. It was applying pesticide along the service road and then changed direction and continued inside the first row of plants. The application was 30 or 40 feet away from us. I didn't know what he was applying, but I could see the mist. About five minutes after the application started I got a headache, it only last for another five minutes. I reported my exposure symptom to the foreman, who was telling everyone to move to the other side of the field. I could hear the application for a while, but from the other side of the block I couldn't tell if he stopped. I received fieldworker safety training before starting work. Decontamination facilities were at the field and I used them to wash my hands. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented had the two supervisors communicated with each other.

Date of interview: June 30, 2017

Subject: Camarillo, Ramiro

Interviewer: A. VINUELA

I have been an employee of FMG for the last two months. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I saw a tractor spraying approximately 40 feet away from us. I didn't know what he was spraying and didn't see any mist or experience any exposure symptoms. Our foreman told us to go to the other side of the field. The applicator didn't stop spraying. I received fieldworker safety training two or three weeks ago. Decontamination facilities were at the field, but I didn't use them that morning. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was not told the location of the PSIS

A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented by the applicator giving advanced notice.

Date of interview: June 30, 2017

Subject: Garcia, Daniel

Interviewer: A. VINUELA

I have been an employee of FMG for the last two months. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I was harvesting in the middle of my row and could see the tractor spraying pesticide along the edge of the neighboring field. I didn't know what was being sprayed and didn't see any mist. About five or ten minutes after the application started I experienced eye irritation. Ten minutes later I was fine. I told the foreman about my exposure symptom. She was telling everyone to get out of the block on the other side of the field. She contacted the supervisor and the ambulances. I believe they stopped the application after spraying two or three more rows. I received fieldworker safety training two weeks ago. Decontamination facilities were at the field, but I used the water I had with me to flush my eyes. My employer informed me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented by educating applicators and harvesting crews.

Date of interview: June 30, 2017

Subject: Garcia, Graciela

Interviewer: A. VINUELA

I have been an employee of FMG for one year. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I saw a tractor applying pesticide approximately 40 feet from us. I didn't know what was being applied, but I saw the mist coming toward us. I didn't experience any pesticide exposure; I was working in the middle of the row and I had my nose and mouth covered. The crew foreman told us to go to the other side of the field and harvesting was stopped. The applicator didn't stop the application. I received fieldworker safety training three weeks ago. Decontamination facilities were at the field, but I didn't need to use them. My employer informed me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I knew the location of the PSIS A-9, but not where the grower's pesticide use records were nor where the Application-Specific Information was. I believe the incident could have been prevented by giving us advance notice or making applications at night or during non-work hours.

Date of interview: June 30, 2017

Subject: Jimenez, Guillermo

Interviewer: A. VINUELA

I have been an employee of FMG for one month. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I was working on the edge of the field and saw an applicator applying pesticide approximately 45 feet away. I didn't know what was being applied, but I could see the fine mist coming to where we were at. About 15 minutes after the

application started I experienced eye irritation, but it only lasted for a couple minutes. I informed the foreman of my eye irritation. The foreman was taking care of everyone in the field. The applicator didn't stop the application. I received fieldworker safety training two weeks ago. Decontamination facilities were available at the field and I used the water to flush my eyes. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented through notification and by not applying pesticides when people are nearby.

Date of interview: June 30, 2017

Subject: Jimenez, Sinay (interviewed in English)

Interviewer: A. VINUELA

I started working with FMG three weeks ago. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I was harvesting in my row inside the tunnel and didn't see the pesticide application or experience any exposure symptoms. Our crew foreman told everyone to go to the other side of the field. I have received fieldworker safety training within the past year. Decontamination facilities were available at the field, but I didn't need to use them. My employer informed me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I knew the location of the PSIS A-9, but not where the grower's pesticide use records were nor where the Application-Specific Information was.

Date of interview: June 30, 2017

Subject: Lopez, Jesus

Interviewer: A. VINUELA

I have been an employee of FMG for one and one half months. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I was harvesting in the middle of a row and saw a tractor applying pesticide 30 to 40 feet away. I didn't know what was being applied, but there was a bad odor and I could see the mist when I came to the edge of the field to get a box. I didn't experience any pesticide exposure symptoms. I heard people saying the foreman wanted us to move to the other side of the field. The applicator didn't stop the pesticide application. I received fieldworker safety training two weeks ago. Decontamination facilities were at the field, but I didn't need to use them. My employer informed me Watsonville Hospital was where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented by making the application when no one was around.

Date of interview: July 27, 2017

Subject: Nunez, Celestino (interviewed by telephone)

Interviewer: A. VINUELA

I have been an employee of FMG for two months. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. Around 8 or 8:30 a.m. I was in my row in the field harvesting berries when I heard a tractor and its spray pump. At one point I came up to the harvesting trailer and saw the pesticide spray rig 30 or 40 feet away making an application along the service road next to the block right in front of us. I didn't know what he was applying, but there was an odor and I could see the pesticide mist. Right after the application started I got a headache that lasted for the rest of the day. I informed our foreman of my headache. She told everyone in the crew to move to the other side of the field. I don't know if the application stopped, for we had moved to the other side of our block. I have received fieldworker safety training within the past year. Decontamination facilities were available at the field, but I didn't use them. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was not told the location of the PSIS A-9, the grower's pesticide use records nor where the Application-Specific Information was. I believe the incident could have been prevented through communication between the two supervisors. With no communication there is no control.

Date of interview: June 30, 2017.

Subject: Padilla, Cristina

Interviewer: A. VINUELA

I have been an employee of FMG for one year. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I was setting the crew into the rows for harvesting when the person on the pesticide spray rig came and talked with the crew foreman. He then started the application about 60 feet away along the first row of plants across the service road. I didn't know what he was applying, but I could see the pesticide drifting toward us. There was a bad strong odor and I felt the pesticide on my clothes. The foreman asked me to help her tell people to move to the other side of the field. The foreman was taking care of the most affected workers. About ten minutes later I developed a headache, stomachache, nausea and my arms were itching. I informed the foreman of my symptoms. I'm still having some stomach discomfort and headache. I don't know how long the pesticide application lasted. I have received fieldworker safety training within the past year. Decontamination facilities were at the field, but I didn't use them. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was told the PSIS A-9 was in the binder, but was not informed where the grower's pesticide use records were nor where the Application-Specific Information was. I believe the incident could have been prevented through advance notification.

Date of interview: July 3, 2017

Subject: Rincon, Christina

Interviewer: A. VINUELA

I started working for FMG one and one half months ago. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I was harvesting inside the tunnel in the middle of my row and only heard the pesticide tractor. I didn't see it. I didn't experience any pesticide exposure symptoms. The foreman honked the truck

horn and told everyone to move to the other side of the field. I received fieldworker safety training before starting work. Decontamination facilities were at the field, but I didn't need to use them. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was told the location of the PSIS A-9, but not where the grower's pesticide use records were nor where the Application-Specific Information was.

Date of interview: July 3, 2017

Subject: S. SANCHEZ

Interviewer: A. VINUELA

I have been an employee of FMG since last May. I was working at the Coastal Berry - North ranch in Watsonville on the morning of June 29, 2017. I was harvesting inside the tunnel on the other side of the row and didn't see the pesticide application equipment or the application. I didn't experience any symptoms of pesticide exposure. My mother, a fellow crewmember, told me to go to the other side of the field. I received fieldworker safety training within the past year. Decontamination facilities were at the field, but I didn't use them. My employer did not inform me of the location of an emergency medical facility where I should go to receive care if needed. When no medical facility is reasonably assessable from where I am working the procedure is to inform my foreman if I need medical care. I was told the PSIS A-9 was on the board, but was not informed where the grower's pesticide use records were nor where the Application-Specific Information was.

On July 3, 2017, at 1025 hours, A. VINUELA, speaking in Spanish, interviewed in person Garrett Farms employee pesticide handler Melchor Galvan. (Santa Cruz CAC Deputy Agricultural Commissioner David Sanford was on site nearby but did not participate in said interview.) In response to A. VINUELA's questions M. GALVAN stated the following in summary.

I have been an employee of Garrett Farms for six or seven years. I am a pesticide applicator and drive trucks and other equipment. My supervisors are Jose Resendiz and Morgan Tittle. On the morning of June 29th I applied pesticides Pristine, Rally and DiPel at our Nugent Ranch using an air blast spray rig with three nozzles on each side. Supervisor Resendiz helped me with the pesticide mix and load and posting of the field with pesticide application signs. Before starting the application I spoke with a couple women working at a nearby harvesting trailer. I told the women I would be making a pesticide application, but would keep a safe distance and asked them to signal me if they smelled something. The fieldworkers moved their truck and harvesting trailer to the northern corner of the block they were working in after I started the application, which was sometime around 7:30 to 8:00 a.m. I started the application 12 rows into our field and away from the Coastal Berry - North field. There was no wind at all. I made the application row by row proceeding eastward. About 20 minutes later Supervisor Resendiz came and told me to stop the application because there was a problem with the fieldworkers in the neighboring field. One got sick. I had applied pesticides to 21 rows by the time Supervisor Resendiz told me to stop. Supervisor Resendiz then told me to continue the application two blocks to the north, further away from the fieldworkers. I continued the application in that area for approximately half an hour to another 40 rows before Supervisor Resendiz came and told me to stop the application for the day. Later

that evening we finished the application to the first 12 rows of the block we originally started in that morning. I do not know why the fieldworkers got sick. The pesticide application was not drifting on them; there was only a light breeze and it was blowing in the opposite direction, away from them. The fieldworkers should not have started harvesting because our field was posted with pesticide application signs. I didn't see a fire truck or ambulance that morning.

After interviewing M. GALVAN, A. VINUELA measured the distance from the western edge of the Garrett Farms Nugent Ranch, immediately across the service road from the Coastal Berry - North field where the fieldworkers were working, to the 12th row where M. GALVAN said he started the application. Said distance was 87 feet.

On this same date, at 1105 hours, A. VINUELA, speaking in Spanish, interviewed in person Garrett Farms Supervisor Jose Resendiz. (D. SANFORD was on site nearby but did not participate in said interview.) In response to A. VINUELA's questions J. RESENDIZ stated the following in summary.

I am an employee of Los Amigos Harvesting and my job title is Supervisor. I am Morgan Tittle's assistant at Garrett Farms. I supervise pesticide applicators and tractor and truck drivers. On June 28th Mr. Tittle and I scheduled a pesticide application for the Nugent Ranch for the following day, so I posted the field with pesticide application signs. I was at the Nugent Ranch on the morning of June 29th and helped mix and load pesticides Pristine, Rally, DiPel and Widespread Max into our spray rig. The rig's side nozzles were operational, but the large application cone on top was not. I noticed fieldworkers and a harvesting trailer under the shade house at the adjacent Coastal Berry - North field. The fieldworkers were about 30 to 40 feet away from the lot where we were going to make the pesticide application. Prior to the application, applicator Melchor Galvan went over to the fieldworkers and spoke with them. The fieldworkers moved to the opposite side of the field they were in, further away from the application site, before the application started at approximately 8:00 a.m. I monitored wind speed at the site with an application on my cell phone. There was no wind. I saw applicator Galvan start the application about 12 to 15 rows into our field and away from the service road that separates our field and the Coastal Berry - North field. I went to another lot there on site while applicator Galvan continued the application. The application proceeded row by row and westward toward the Coastal Berry - North field. The east side of our field was sprayed the day before. About 10 minutes after the application started I received a telephone call from David, Coastal Berry - North Supervisor, who said his fieldworkers were getting sick. I immediately went to the application site and told applicator Galvan to stop the application. By that time he had applied the pesticides to four rows. I then instructed applicator Galvan to continue the application in one of our neighboring lots further away from the fieldworkers. After receiving another call from David requesting labels for the pesticides we applied, I contacted applicator Galvan and told him to stop the application for the day. By that time he had applied two more tanks in the nearby lot. After applicator Galvan stopped the application he parked the spray rig on a service road two lots to the north of where the application was made earlier that morning. After speaking with applicator Galvan, I went to the east side of the Coastal Berry - North field, where David and the fieldworkers were, to deliver the pesticide labels. It was there I saw the fire truck and ambulances. After speaking with David I telephoned Mr. Tittle and informed him what had happened. Later that evening in the absence of any fieldworkers we completed the application, including

the rows adjacent to the service road separating Garrett Farms and Coastal Berry - North. I don't think our pesticide application drifted upon the fieldworkers. That same morning I saw a couple Coastal Berry - North pesticide tractors driving by the area. I did not see them apply a pesticide, but their pesticide spray equipment may have emitted an odor that caused the fieldworkers to become ill.

CAC office records indicate J. RESENDIZ's employer, Los Amigos Harvesting, registered as a Farm Labor Contractor with the Santa Cruz CAC for year 2017 (Attachment 30). Los Amigos Harvesting principle Miles Steven Garrett has valid Farm Labor Contractor License #FLC000234426 with expiration date March 25, 2018.

On July 5, 2017, at 1125 hours, A. VINUELA, speaking in Spanish, interviewed in person D. VASQUEZ. In response to A. VINUELA's questions D. VASQUEZ stated the following in summary.

On the morning of June 29, 2017, I received a telephone call from [REDACTED] foreman of the FMG crew harvesting raspberries for us at our Bronson Ranch. [REDACTED] informed me a neighboring Garrett Farms pesticide application was drifting upon her and her crew. I informed [REDACTED] I had no knowledge Garrett Farms would be making a pesticide application that morning. I telephoned Jose Resendiz, Supervisor of Garrett Farms, who informed me a pesticide application was taking place and he had forgotten to notify me of the application. Mr. Resendiz stated one of the pesticides being applied was Pristine. I informed Mr. Resendiz the harvest crew moved away from where they were harvesting due to pesticide exposure. I arrived at the Bronson Ranch about 10 minutes after receiving [REDACTED] call and observed Garrett Farms still making the application; the spray rig was working down the fourth row from the edge of the field. I then went to check on the FMG crew that was now on the west side of the lot, the opposite side of the lot from where they were harvesting earlier. After that, the ambulances arrived.

On July 5, 2017, all foliar samples collected (i.e., samples 1 through 6) were packed in an insulated ice chest along with seven packets of 'blue ice,' with each packet weighing approximately 20 ounces. All requisite documentation, i.e., Investigative Sample Analysis Report forms and sampling plan map (Attachment 15), was also packet in referenced ice chest. On this same date, at 1500 hours, the ice chest was delivered to The UPS Store at 1961 Main Street in Watsonville, California, for shipment to the California Department of Food and Agriculture (CDFA) Center for Analytical Chemistry-Residue laboratory in Sacramento, California.

On July 11, 2017, at 1419 hours, I contacted M. TITTLE by e-mail and requested a copy of Garrett Farms' employee pesticide handler written training program and training records pertaining to employees J. RESENDIZ and M. GALVAN. After reportedly consulting with CalRisk, Inc., the private company that provided referenced training for said employees, M. TITTLE (over a period of approximately three weeks) provided the documents requested (Attachment 12). Documents received included photocopies of training record forms and training certificates/cards for both men, a copy of DPR's *Pesticide Safety Information Series* (PSIS) leaflet A-8 and leaflet A-9 (both leaflets in English), and DPR website address <http://www.cdpr.ca.gov/docs/whs/psisenglish.htm> that provides access to the entire PSIS. The written training program received lacked any reference to pesticides used (by Garrett Farms employee pesticide handlers) which is necessary in addressing pesticide specific training

information requirements pursuant to Title 3 of California Code of Regulations (3 CCR), section 6724(b), Attachment 2. Further, training records received did not include employer's name (i.e., Garrett Farms) as required by 3 CCR 6724(e), Attachment 2. Also requested in the e-mail were copies of Garrett Farms pesticide use reports (PURs) and application-specific information display (ASID) for June, 2017, and information regarding the June 29, 2017, pesticide application at Garrett Farms site 1A Nugent Ranch, i.e., equipment used and spray droplet size. A copy of the American Society of Agricultural and Biological Engineers S572.1 standard (Attachment 1) was attached to the e-mail to provide M. TITTLE guidance regarding referenced droplet size.

On this same date, at 1425 hours, I telephoned R. MEYER who stated the incident report I requested in my earlier voicemail message had just been finalized and would be forwarded to me. R. MEYER noted #FD016052 was the incident's Dispatch Number and #2017-1001690 is the reference number for the corresponding Incident Report.

On July 13, 2017, at 0951 hours, I telephoned American Medical Response (AMR) of Santa Cruz County, the advanced life support ambulance transport provider that transported five FMG employees to Watsonville Community Hospital on June 29, 2017. I was directed to the voicemail mailbox of Mr. Brad Cramer. In a voicemail message to B. CRAMER I identified myself and requested copies of the AMR Prehospital Care Reports (PCRs) for the five FMG employees transported to Watsonville Community Hospital on the morning of June 29, 2017. After several failed attempts to contact B. CRAMER, I received a telephone voicemail message from Ms. Brenda Brenner, Emergency Medical Services Administrator/Senior Health Services manager of the Santa Cruz County Public Health Department, requesting I contact her regarding my acquisition of said PCRs.

On July 14, 2017, at 1405 hours, an e-mail was sent to J. RAMIREZ of Coastal Berry - North requesting copies of their pesticide use reports (PURs) and application-specific information display (ASID) for the month of June 2017 for their site 21A Bronson Ranch. On this same date J. RAMIREZ hand delivered to our office said records that were comprised of written recommendations, ASIDs and documents entitled Pesticide Application Record (Attachment 24). Pesticide use information obtained from CalAgPermits database for site 21A indicates Pristine Fungicide was applied on June 28, and Rally 40WSP was applied on June 23 and 25. Pesticide use information and application-specific information type display sheets provided by J. RAMIREZ indicate Pristine Fungicide was not applied to site 21A in June, whereas Rally 40WSP was applied on June 3, but not to block 7 where FMG employees were working the morning of the purported pesticide exposure incident. Further, J. RAMIREZ stated a pesticide application was made on June 28 to block 8 that is adjacent to and north of block 7. (J. RAMIREZ states the notation "1-3," the block/lot number, on both the Application-Specific Information record and Pesticide Application Record dated June 3, 2017, means "1, 2 and 3.") However, inconsistencies exist between the pesticide use information and information on the corresponding application-specific information display. Specifically: CalAgPermits data indicates applications were made on June 23 and 25, yet they are not recorded in the application information display; CalAgPermits indicates Pristine Fungicide was applied on June 28, but Pristine Fungicide is not present on the application-specific display for that date; and written recommendations indicate applications were made on June 3 and 27, but said applications do not appear in the CalAgPermits derived information. A determination cannot be made as to which information source, i.e., CalAgPermits, recommendations or the application-specific information display, is correct for the various applications. Failure to submit a PUR is a violation of 3 CCR 6626(a) and failure to include a

pesticide application on the application-specific information display is a violation of 3 CCR 6723.1(b), Attachment 2.

On July 15, 2017, at 0936 hours, I received an e-mail from M. TITTLE providing an update on his collection and submission of information previously requested. M. TITTLE indicated spray adjuvant Widespread Max was inadvertently omitted from the PUR previously provided regarding the June 29, 2017, application to Garrett Farms site 1A Nugent Ranch. M. TITTLE also stated the spray rig used to apply pesticides to Garrett Farms site 1A Nugent Ranch on June 29, 2017, was a Gearmore P42N1-400G with spray nozzles ranging in height from ground level to approximately five feet. Based on nozzle size used and a spray pressure of 35 PSI, M. TITTLE determined the application droplet size to be "very fine" according to the American Society of Agricultural and Biological Engineers S572.1 standard (Attachment 1).

On July 17, 2017, at 0800 hours, I received six Pesticide Incident Reports (PIRs), one for each of the six FMG employees that obtained medical care at Watsonville Community Hospital after the purported pesticide exposure incident on June 29, 2017. D. SANFORD obtained said PIRs from CalPEATS (California Pesticide Enforcement Activity Tracking System) WHS (Worker Health and Safety, DPR) investigation requests. Additionally, a Doctor's First Report of Occupational Injury or Illness (DFROII) regarding [REDACTED] was received from WorkWell Medical Group, Hollister, California, on August 28, 2017. Said PIRs and DFROII comprise Attachment 6. As of the writing of this report no PIR or DFROII has been received by the CAC regarding FMG employee [REDACTED].

On July 17, 2017, at 1203 hours, I e-mailed FMG Farm Contracting, Inc. and requested Fieldworker Training records for the 24 FMG employees involved in the purported pesticide exposure incident on June 29, 2017. In response to said request, FMG provided 12 separate records documenting training on an equal number of dates (Attachment 11). Of these 12 documents, only three appear to record fieldworker safety training pursuant to 3 CCR 6764 (Attachment 2). Analysis of the three documents pertaining to field worker safety training is outlined below.

- Title(s) and source(s) of training materials used do not appear on any record.
- Trainer's name appears on only one record, and trainer's qualifications does not appear on any record.
- Ten employees worked in a treated field without receiving requisite training from FMG within the past year.

CAC office records indicate FMG Farm Contracting, Inc. registered as a Farm Labor Contractor with the Santa Cruz CAC for year 2017 (Attachment 29). FMG principle Francisco Mora Gonzales has valid Farm Labor Contractor License #FLC000185517 with expiration date February 1, 2018.

On July 17, 2017, at 1445 hours, a fax was sent to Watsonville Community Hospital Medical Records Department requesting all pertinent medical records for the six FMG employees that obtained medical care at said hospital after the purported pesticide exposure incident on June 29, 2017. Said fax included signed Medical Information Authorization forms, one for each of the six FMG employees. Only five of the six records requested were received; medical records for [REDACTED] could not be located by said hospital due to the erroneous date of birth on his Medical

Information Authorization form (Attachment 22). ([REDACTED] could not be contacted to obtain his correct date of birth.) Individual employee symptoms and diagnoses are summarized below.

- [REDACTED]
 - ER arrival – June 29, 2017 at 0919 hours.
 - Symptoms – nausea and vomiting.
 - Diagnosis – exposure to Pristine Fungicide with nausea and vomiting within hours of exposure.
 - Discharge – June 29, 2017 at 1046 hours.
- [REDACTED]
 - ER arrival – June 29, 2017 at 0905 hours.
 - Symptoms – nausea, vomiting, dizziness and sore/itchy throat.
 - Diagnosis – exposure to Pristine Fungicide with severe nausea, vomiting and sore throat.
 - Discharge – June 29, 2017 at 1223 hours.
- [REDACTED] – Medical Information Authorization form only (medical records unavailable).
- [REDACTED]
 - ER arrival – June 29, 2017 at 0918.
 - Symptoms – burning sensation in both eyes.
 - Diagnosis – acute bilateral chemical conjunctivitis (i.e., inflammation and/or swelling of the conjunctiva) secondary to fungicide exposure.
 - Discharge – June 29, 2017 at 1257 hours.
- [REDACTED]
 - initial visit – June 29, 2017
 - ER arrival – 0906 hours.
 - Symptoms – nausea, shortness of breath, and burning, sore and itchy throat.
 - Diagnosis – chemical exposure to Pristine Fungicide with sore throat, nausea and shortness of breath.
 - Discharge – 1040 hours.
 - follow-up visit – June 30, 2017
 - ER arrival – 1107 hours.
 - Symptoms – nausea and vomiting.
 - Diagnosis – chemical exposure.
 - Discharge – 1344 hours.
- [REDACTED]
 - ER arrival – June 29, 2017 at 0919 hours.
 - Symptoms – nausea, vomiting and sore throat.
 - Diagnosis – accidental exposure to Pristine Fungicide with localized irritation causing nausea, vomiting and sore throat.
 - Discharge – June 29, 2017 at 1103 hours.

Aforesaid medical records and Medical Information Authorization forms appear in Attachment 22.

On this same date, at 1516 hours, a fax was sent to WorkWell Clinic in Watsonville, California, requesting all pertinent medical records on FMG employee [REDACTED] 21 year old, male, who visited said clinic on June 30, 2017, and obtained medical care as a result of the purported pesticide exposure incident on June 29, 2017. Said fax included a Medical Information Authorization form signed by [REDACTED]. After several attempts to contact said clinic by fax, I spoke by telephone on August 28, 2017, with Ms. Veronica Arellano of the WorkWell Medical Group, Hollister, California office who, on that same day, provided said records by both e-mail and fax. Medical records provided are for [REDACTED] initial visit to the clinic on June 30, 2017, and his follow-up visit on July 3, 2017. [REDACTED] symptoms and diagnoses are summarized below.

- Initial visit – June 30, 2017
 - ER arrival – 0850 hours.
 - Symptoms – aching, headache, dizziness, nausea, vomiting, bilateral eye itchiness and burning, blurred vision, itchiness of throat, trunk and upper extremities, cough with phlegm and shortness of breath.
 - Diagnosis – chemical exposure, pain in throat, headache, nausea with vomiting, unspecified, pruritus and toxic effects of pesticides.
 - Discharge – unknown
- Follow-up visit – July 3, 2017
 - ER arrival – 0830 hours.
 - Symptoms – itching on back of right arm.
 - Diagnosis – chemical exposure, pain in throat, headache, nausea with vomiting, unspecified, pruritus and toxic effects of pesticides.
 - Discharge – 0913 hours.

[REDACTED] medical records and Medical Information Authorization form appear in Attachment 22.

A second FMG employee, [REDACTED] also obtained professional medical care at WorkWell Clinic for physical symptoms he experienced as a result of the purported pesticide exposure incident on June 29, 2017. [REDACTED] medical records could not be obtained, for he could not be contacted to sign a Medical Information Authorization form. [REDACTED] was however interviewed earlier regarding the purported pesticide exposure incident and his statements recorded. A summary of [REDACTED] interview statements is included with that of the other 22 FMG employees interviewed.

On July 21, 2017, at 1306 hours, I spoke by telephone with Steve Garrett, owner of Garrett Farms, who requested I interview his employee truck driver Oscar Ortiz. O. ORTIZ was reportedly at Garrett Farms site 1A Nugent Ranch the night before the purported pesticide exposure incident and witnessed activities on neighboring Coastal Berry - North site 21A Bronson Ranch that were indicative of a pesticide application. S. GARRETT said he would let his office staff know I would be contacting them to schedule a meeting with O. ORTIZ.

On this same date, at 1334 hours, I spoke by telephone with B. BRENNER and was informed AMR had requested she provide me the Prehospital Care Reports (PCRs) for the individuals they transported to Watsonville Community Hospital on June 29, 2017. When B. BRENNER indicated she had only three PCRs I informed her AMR transported a total of five FMG employees to the

hospital on June 29, 2017; three individuals in one ambulance and two individuals in a second ambulance. B. BRENNER requested I provide her a memo requesting the PCRs and the names of those individuals for whom a PCR was requested. Said memo and corresponding Medical Information Authorization forms were sent to B. BRENNER by e-mail on this same date.

On this same date, at 1556 hours, an e-mail was sent to M. TITTLE stating I had yet to receive Garrett Farms employee handler training program and the application-specific information for June, 2017.

On the afternoon of July 24, 2017, I contacted the Garrett Farms office and scheduled a meeting between A. VINUELA and O. ORTIZ at Garrett Farms site 1A Nugent Ranch on July 25, 2017.

On July 25, 2017, at 0905 hours, A. VINUELA, speaking in Spanish, interviewed in person O. ORTIZ. In response to A. VINUELA's questions O. ORTIZ stated the following in summary.

I was an employee of Garrett Farms for 20 years. This past year I have been an employee of Los Amigos Harvesting. I work under the supervision of Morgan Tittle and Jose Resendiz. My job title is Truck Driver and I drive trucks transporting fruit to coolers. I also drive tractors, forklifts and other equipment. I was not at Garrett Farms site 1A Nugent Ranch on the morning of June 29, 2017. The night before, June 28, 2017, at 8:00 p.m., I was at site 1A assisting a pesticide application by driving the water tank truck. When driving along the service road that separates the Coastal Berry - North ranch and the Garrett Farms Nugent Ranch, I saw a truck and tractor commonly used by Coastal Berry - North to make pesticide applications and a sign of the type used to post a field prior to a pesticide application. Referenced tractor and sign were located on the Coastal Berry - North side of the service road about half way between their equipment yard and shade house. I did not see any workers in the area nor smell any pesticide odor. I do not know if a pesticide was applied to that field or if they were planning to make an application.

On July 26, 2017, at 1331 hours, I received by e-mail from B. BRENNER the five Prehospital Care Reports (PCRs) previously requested. Said Prehospital Care Reports comprise Attachment 27.

On this same date I received an e-mail from the Watsonville Fire Department with two attached documents regarding the purported pesticide exposure incident of June 29, 2017. One document is entitled Prehospital Care Report and the other is without title. The Prehospital Care Report references number FFD170629016052 as both the Incident number and Call number, whereas the untitled document references Dispatch Run #FFD170629016052 and Incident #2017-1001690. Attached to the untitled document are photographs taken in the field of page 1 and page 2 of a pesticide Pristine Fungicide container label. Aforesaid reports collectively state the following in summary.

Fire Department Engine 4413 responded to a report of a female patient and crew of 25 [sic] field workers who became sick after being sprayed by an unknown chemical at East Lake and Wagner Ave. At 0837 hours Engine 4413 arrived on scene where five members of the crew were complaining of shortness of breath, eye irritation, headache and nausea, and two of the five were vomiting. Prior to arrival, Engine 4413 called all responding ambulance units to the scene. On site Manager David Vasquez identified the chemical as Pristine (fungicide), provided some MSDS type material, but was not specific as to how the group

was sprayed. MSDS information advised decontamination with “plenty of water.” Five crew members were decontaminated and escorted to ambulance units 3 and 4 for transport to Watsonville Hospital. Early notification was given to the hospital regarding the chemical and number of patients being transported there. After decontaminating the five patients and turning the scene over to the responsible property manager, Engine 4413 proceeded to the hospital to ensure all pertinent information was relayed to the staff. Engine 4413 was assigned to patient decontamination. All treatment, care and assessment was performed by referenced ambulances. After return to station both Cal OSHA and the local Agricultural Commissioner were notified.

Referenced documents received from the Watsonville Fire Department comprise Attachment 14.

On July 27, 2017, at 1330 hours, I spoke by telephone with M. TITTLE who stated Garrett Farms pesticide use reports and written recommendations are displayed within 24 hours of pesticide application stop time and collectively possess all information required by regulation of an ASID (application-specific information display).

On August 3, 2017, at 1535 hours, I spoke by telephone with M. TITTLE who (1) confirmed pesticide handler training information for Garrett Farms employees previously submitted is complete, (2) annotated pesticide use written recommendations serve as Garrett Farms ASID, and (3) Garrett Farms PURs for June 2017 will be provided as soon as possible.

On August 4, 2017, at 0903 hours, I received an e-mail from M. TITTLE that included annotated pesticide use written recommendations and PURs for all pesticide applications made to Garrett Farms site 1A Nugent Ranch in June 2017. Annotated recommendations indicate pesticide Pristine Fungicide was applied to said ranch on June 8 and 9, 2017, and both Pristine Fungicide and Rally 40WSP were applied on June 29, 2017. The PUR received for the June 29, 2017, pesticide application was incorrectly dated June 28, 2017. Aforesaid documents comprise Attachment 25.

On this same date, at 1350 hours, an e-mail was sent to M. TITTLE informing him the PUR received for the Garrett Farms site 1A Nugent Ranch June 29, 2017, pesticide application was incorrectly dated June 28, 2017. In this same e-mail I requested M. TITTLE provide me with a PUR with the correct application date of June 29, 2017. Subsequent to this request M. TITTLE provided a revised PUR for the June 29, 2017, application. This revised PUR included previously omitted spray adjuvant Widespread Max, yet was dated July 29, 2017 (Attachment 25). Further, CalAgPermits pesticide use information for Garrett Farms site 1A Nugent Ranch indicates only one pesticide application was made in June 2017, i.e., Pristine Fungicide and two other pesticides on June 9 (Attachment 25). However, information received from M. TITTLE indicates applications to said site occurred on June 8, 9 and 29, 2017. Failure to submit a PUR for a pesticide application is a violation of 3 CCR 6626(a), Attachment 2.

On this same date, A. VINUELA performed field worker safety inspections on both FMG Farm Contractor, Inc. and on Los Amigos Harvesting (inspection #103-44-I7-M002-013 and #103-44-I7-M002-014, respectively), Attachment 9 and 10, respectively. No regulatory violations were observed in either inspection.

On August 8, 2017, at 1524 hours, an e-mail was received from the CDFA Center for Analytical Chemistry-Residue that included Investigative Sample Analysis Report forms and corresponding

laboratory test results (Attachment 15) for the six raspberry plant foliar samples submitted for analysis on July 5, 2017. All six samples were tested for the presence of the active ingredients (a.i.'s) in pesticides Pristine Fungicide (a.i. boscalid and pyraclostrobin) and Rally 40WSP (a.i. myclobutanil). Pristine Fungicide and Rally 40WSP were two of the four pesticides applied by Garrett Farms to their site 1A on the morning of June 29, 2017. Test results indicate the presence of both aforesaid pesticides (i.e., their a.i.'s) in all six samples. Sample test results appear below.

Sample #	Sample I.D. #	Rally 40WSP	Pristine Fungicide	
		Myclobutanil (ppm)	Pyraclostrobin (ppm)	Boscalid (ppm)
1	GF-1-SC	3.1	4.0	33.5
2	GF-2-SC	1.2	1.3	12.6
3	GF-3-SC	1.1	1.1	9.7
4	GF-4-SC	1.7	2.2	12.0
5	GF-5-SC	4.8	12.2	28.0
6	GF-6-SC	0.79	1.2	12.2

After review of referenced Investigative Sample Analysis Report forms, D. SANFORD contacted Louie Guerra, Senior Environmental Scientist (Supervisory), DPR Central Regional Office, regarding corrections made to the test result entries on referenced forms (Attachment 15).

On August 16, 2017, at 1656 hours, D. SANFORD received an e-mail from L. GUERRA indicating the CDFA laboratory's original sample analysis test results were calculated using an incorrect dilution factor. Said error was discovered and pesticide residue level values were recalculated and corrected on the Investigative Sample Analysis Report forms (Attachment 15). In further regard to information on said forms, samples GF-1-SC thru and including GF-5-SC were placed in the CAC refrigerator for storage at 1850 hours (not the time indicated on referenced form), and sample GF-6-SC was placed in the CAC refrigerator on 7-1-18 at 0955 hours.

On September 12, 2017, at 1530 hours, I contacted Los Amigos Harvesting by telephone and spoke with Office Manager Patty Garrett. I informed P. GARRETT that when interviewed, J. RESENDIZ stated he was an employee of Los Amigos Harvesting, whereas M. GALVAN stated he was an employee of Garrett Farms. P. GARRETT informed me M. GALVAN, J. RESENDIZ and M. TITTLE were Los Amigos Harvesting employees. I informed P. GARRETT (1) employers of pesticide handlers must maintain a copy of their written training program and corresponding training records pursuant to 3 CCR 6724 (a) and (e) respectively (Attachment 2), and (2) I already obtained referenced information related to J. RESENDIZ and M. GALVAN from Garrett Farms Authorized Representative M. TITTLE. I informed P. GARRETT I would forward to her said information obtained from M. TITTLE and asked that she state it is complete or provide any missing information.

On this same date, at 1617 hours, I e-mailed to P. GARRETT the employee handler training program and records for J. RESENDIZ and M. GALVAN that I received from M. TITTLE (Attachment 12). (M. TITTLE possesses a valid Private Applicator Certificate and is therefore considered trained to handle pesticides per 3 CCR 6724(d), Attachment 2.)

On September 14, 2017, at 1621 hours, I sent an e-mail to P. GARRETT and asked (1) if Los Amigos Harvesting possessed a Pest Control Business License issued by DPR, (2) who pays the salary and workers compensation insurance for employees M. TITTLE, J. RESENDIZ and M. GALVAN, and (3) who supervises and directs the work activities of said employees.

On September 20, 2017, at 1010 hours, I received a telephone voice mail message from S. GARRETT requesting I contact him. An hour later I spoke by telephone with S. GARRETT who indicated the information requested from Los Amigos Harvesting in my e-mails dated September 12 and 14, 2017, would be provided as soon as possible. S. GARRETT also requested I obtain a statement from an individual who reportedly possessed information pertinent to the present investigation. I informed S. GARRETT said individual would be interviewed.

On October 2, 2017, at 1300 hours, S. GARRETT visited the CAC office and provided the handler training program and training records related to Los Amigos Harvesting employee handlers J. RESENDIZ and M. GALVAN (Attachment 13), and responded to my earlier questions regarding remuneration and supervision of said employees. Training program and records provided include one document entitled Written Training Program, two documents entitled Training Log (one with a date and one without a date), a Pesticide Handler/Applicator Training Program form for J. RESENDIZ and the same for M. GALVAN, photocopies of training certificates/cards for both men and a copy of DPR's *Pesticide Safety Information Series* (PSIS) leaflet A-8 and leaflet A-9 (both leaflets in English). Aforesaid program and records satisfy all applicable requirements set forth in 3 CCR 6724 (Attachment 2) with one exception: spray adjuvant Widespread Max (CA Reg. No. 34704-50061) that was applied by referenced employee handlers on June 29, 2017, is not listed among the pesticides for which training was provided. (The definition of "pesticide" in FAC 12753, Attachment 3, includes any spray adjuvant.) Regarding supervision, S. GARRETT is permittee/operator of the property for Garrett Farms' California restricted material permit #44-17-440168A (Attachment 5). Pursuant to 3 CCR 6420(a), Attachment 2, S. GARRETT provided the CAC written documentation designating M. TITTLE as his authorized representative and, as such, was authorized to act on behalf of S. GARRETT. M. TITTLE is the supervisor of both J. RESENDIZ and M. GALVAN. Further, Los Amigos Harvesting remunerates and maintains workers compensation insurance for all three employees (i.e., M. TITTLE, J. RESENDIZ and M. GALVAN). Regarding possession of a DPR Pest Control Business License required by FAC, section 11701 (Attachment 3), to advertise, solicit or operate a pest control business, i.e., perform pest control for hire, S. GARRETT and P. GARRETT (the latter in an earlier telephone conversation) stated Los Amigos Harvesting does not possess said license. The DPR database of individual/personal and business licensees does not include Los Amigos Harvesting as a Pest Control Business.

On October 6, 2017, at 1135 hours, A. VINUELA, speaking in Spanish, interviewed in person the individual S. GARRETT requested (on September 20, 2017) be interviewed regarding the purported pesticide exposure incident on June 29, 2017. At the outset of said interview referenced individual requested their identity remain anonymous. In response to A. VINUELA's questions, referenced individual stated the following in summary.

I was at the Coastal Berry - North Bronson ranch on June 29th around 8:00 a.m. towing some heavy machinery with a tractor. I was at the north end of the lot where the harvesting crew was working and heading southbound on the service road. I was traveling slowly behind a pesticide application spray rig when the driver of the rig stopped and spoke to the harvesting crew. He then went approximately 15 rows into the caneberry field

and started the application. I did not smell or see any pesticides in the air. I saw the harvesting crew move to the west side of the field. After a while I saw the first responders come to the field. I do not think the pesticide application drifted upon the harvesting crew. Maybe they experienced an odor, but not pesticide drift. In my opinion, the applicator started spraying a reasonable distance away from the fieldworkers.

On October 27, 2017, at 1420 hours, I spoke by telephone with F. LEON regarding proper identification of an employee's employer. F. LEON provided referral to Guidelines for Interpreting Pesticide Laws, Regulations, and Labeling, Employer Identification, *Pesticide Use Enforcement Program Standards Compendium*, Volume 8, DPR (Attachment 23), and Determining When a Pest Control Business License is Required by a Farm Labor Contractor, PML 01-12 (Attachment 8).

On October 31, 2017, at 1520 hours, I spoke by telephone with M. TITTLE who stated no one "on-site" at Los Amigos Harvesting provided primary direction and control over the pest control work he, J. RESENDIZ and/or M. GALVAN performed. M. TITTLE indicated that he as the Authorized Representative of Garrett Farms directed and controlled pest control work performed at Garrett Farms.

On November 1, 2017, at 1332 hours, an e-mail was sent to P. GARRETT of Los Amigos Harvesting requesting additional information regarding primary direction and control of pest control work perform by Los Amigos Harvesting employees M. TITTLE, J. RESENDIZ and M. GALVAN.

On November 2, 2017, at 1550 hours, I received a telephone call from S. GARRETT requesting I meet with him at Garrett Farms site 1A Nugent Ranch to witness a simulated pesticide application using the same equipment and application parameters as that used on the morning of June 29, 2017, during the purported pesticide exposure incident. I informed S. GARRETT I already obtained from M. TITTLE requisite information regarding the June 29, 2017, pesticide application, yet would meet with him to witness said simulation. A meeting was scheduled for November 9, 2017, at 0900 hours. Further, S. GARRETT indicated he would at said meeting provide the information requested in my November 1, 2017, e-mail to Los Amigos Harvesting regarding primary direction and control of pest control work perform by Los Amigos Harvesting employees.

On November 9, 2017, at approximately 0830 hours, I received a telephone call from S. GARRETT suggesting our meeting scheduled for this same date be cancelled due to inclement weather. The meeting was rescheduled for November 14, 2017, at 0900 hours.

On this same date, at 1256 hours, an e-mail was sent to P. GARRETT of Los Amigos Harvesting requesting additional information including who provided primary direction and control of pest control work perform by their employees, and in what capacity did this individual serve Los Amigos Harvesting.

On November 14, 2017, at approximately 0830 hours, I received a telephone call from S. GARRETT who stated he was unable to attend our scheduled meeting and suggested I meet with a member of his staff to observe aforementioned simulated pesticide application. I declined the meeting and reiterated my observation of a simulated application was unnecessary, for I already possessed requisite information regarding the June 29, 2017, pesticide application at Garrett Farms

site 1A Nugent Ranch. When asked to provide the information previously requested of Los Amigos Harvesting regarding primary direction and control of pest control work performed by Los Amigos Harvesting employees, my call was transferred to P. GARRETT. P. GARRETT stated referenced information was forthcoming.

On November 14, 2017, at 0936 hours, D. SANFORD and I received an e-mail from Mr. Anthony Ocegüera, Attorney at Law, indicating (1) his office was assisting S. GARRETT and Garrett Farms with the ongoing investigation of a possible pesticide exposure incident, and (2) answers to the aforementioned questions (i.e., primary direction and control of pest control work performed by Los Amigos Harvesting employees) posed to P. GARRETT of Los Amigos Harvesting were forthcoming.

On December 15, 2017, at 1611 hours, an e-mail was received from A. OCEGUERA (Attachment 7) providing responses to questions posed to farm labor contractor Los Amigos Harvesting in my November 1, 2017, e-mail regarding primary direction, control and supervision of their employees when performing pest control work for Garrett Farms. A. OCEGUERA's statements are summarized as follows.

Los Amigos Harvesting, pursuant to a Farm Labor Contractor Services Agreement, provides services to Garrett Farms that include hiring, supervision and management of laborers to conduct operations including all necessary pest control services. Under said agreement Los Amigos Harvesting is solely responsible for the primary direction, control and supervision of Los Amigos Harvesting employees Mr. Tittle, Mr. Resendiz and Mr. Galvan. Mr. Tittle, as the foreman, had the authority and discretion to manage his crews, which included employees Mr. Resendiz and Mr. Galvan. Nobody provided primary direction, control and supervision of Mr. Tittle, however he did generally report to Los Amigos Harvesting ownership. Referenced agreement further states Garrett Farms has no right to direct or control Los Amigos Harvesting employees.

Title 3 of California Code of Regulations, section 6000 (Attachment 2), states "'Employer' means any person who exercises primary direction and control over the work, services, or activities of an employee. A foreman, crew leader, supervisor, or similarly situated person represents the employer when hiring an employee or when exercising, or having responsibility for exercising, the primary direction and control, but is not considered the employer himself or herself." Further, DPR's *Pesticide Use Enforcement Program Standards Compendium*, Volume 8, Section 6.7 - Employer Identification (Attachment 23) holds that a duality of employers may exist where a primary (or general) employer supplies the contract employee for a fee and a secondary (or special) employer provides the workplace and controls how the work is to be done, directs what work is to be done or supervises the work activities of the contract employee. Food and Agricultural Code, section 11701 (Attachment 3), states "It is unlawful for a person to advertise, solicit, or operate as a pest control business, unless the person has a valid pest control business license issued by the director [of DPR]." However, a duly licensed farm labor contractor (FLC) may provide a grower with a contract employee to perform pest control work, so long as said employee is properly trained pursuant to 3 CCR 6724 (Attachment 2). The Department of Pesticide Regulation's PML 01-12 (Farm Labor Contractor - Determining When a Pest Control Business License is Required by a Farm Labor Contractor, Attachment 8) indicates an FLC must possess a pest control business license (PCB) before providing to a client employees that perform pest control under the primary direction and control of that FLC. Conversely, if the FLC provides

to a client employees that perform pest control under the primary direction and control of the client, DPR does not require the FLC to possess a valid PCB license.

Recommendation #6649 for the Garrett Farms June 29, 2017, pesticide application received from M. TITTLE was written by Pest Control Advisor (PCA) Daniel Schmida. D. SCHMIDA has valid PCA licensed #71094 (categories A, B, C and E) issued by DPR with expiration date December 31, 2017. D. SCHMIDA is registered as a PCA with the Santa Cruz County CAC for year 2017. Said recommendation (Attachment 28) includes all information required in a Written Recommendation pursuant to FAC 12003 and 3 CCR 6556 (Attachments 3 and 2, respectively). Said recommendation was for the following pesticide use.

- DiPel DF – EPA Reg. No. 73049-39, a.i., *Bacillus thuringiensis* 54%, signal word Caution, application rate 2 pounds/acre, 4 hour REI (Attachment 16).
- Pristine Fungicide – EPA Reg. No. 7969-199, a.i., pyraclostrobin 12.8% and boscalid 25.2%, signal word Caution, application rate 18.5 ounces/acre, 12 hour REI (Attachment 17).
- Rally 40WSP – EPA Reg. No. 62719-410, a.i., myclobutanil 40%, signal word Caution, application rate 2.5 ounces/acre, 24 hour REI (Attachment 18).
- Widespread Max – CA Reg. No. 34704-50061, a.i., polyether-polymethylsiloxane-copolymer polyether 100%, signal word Warning, application rate 6 fluid ounces/acre, REI not specified (Attachment 19).

Registered use and application rates recorded on aforesaid recommendation are consistent with pesticide label requirements.

Weather conditions reported hourly on June 29, 2017, by the California Irrigation Management Information System (CIMIS) Green Valley Road station #111 (Attachment 32) during the time of the purported pesticide exposure incident are summarized as follows:

<u>Time</u>	<u>Wind Direction</u>	<u>Wind Speed</u>
7:00 a.m.	255° (W/SW)	2.4 mph
8:00 a.m.	329° (N/NW)	3.1 mph
9:00 a.m.	297° (W/NW)	2.8 mph

Garrett Farms employee pesticide handler M. GALVAN stated he started the application on June 29, 2017, sometime between 7:30 a.m. and 8:00 a.m., and stopped the application approximately 20 minutes later. Wind speed reported by CIMIS was 2.4 mph from the west/southwest at 7:00 a.m., increased to 3.1 mph from the north/northwest at 8:00 a.m., and was 2.8 mph from the west/northwest at 9:00 a.m. (Wind direction is reported as the direction from which the wind originates, e.g., “west” denotes winds blowing from west to east.) Aforesaid weather station is located approximately 1.1 miles northwest of the purported pesticide exposure site.

Findings

On the morning of June 29, 2017, fifteen out of 24 FMG Farm Contractor employees harvesting raspberries at Coastal Berry - North site 21A Bronson Ranch experienced physical symptoms indicative of chemical exposure. Eight of the employees received professional medical care for

their physical symptoms. Physical symptoms reported by these eight employees and corroborated by medical personnel were consistent with those listed on registered labels and/or safety data sheets (SDS) for pesticides DiPel DF, Pristine Fungicide, Rally 40WSP, and Widespread Max (Attachment 31). Hospital medical records for referenced employees state the diagnosis as pesticide Pristine Fungicide exposure or chemical exposure. Five FMG employees reported their physical symptoms to the crew foreman, but were not immediately taken to a physician.

Various documents and eyewitness statements indicate farm labor contractor Los Amigos Harvesting applied pesticides DiPel DF, Pristine Fungicide, Rally 40WSP and Widespread Max to Garrett Farms site 1A Nugent Ranch at approximately 0800 hours on June 29, 2017, while FMG employees were working in neighboring Coastal Berry - North site 21A Bronson Ranch. Conflicting evidence exists regarding the distance between where the pesticides were applied and where the FMG employees were working. Of the FMG employees that saw the pesticide application all stated it began along the first row of plants on Garrett Farms site 1A Nugent Ranch immediately across the service road from where they were working or no more than approximately 100 feet away. M. GALVAN stated he started the application 12 rows (i.e., approximately 87 feet) into the field and from there proceeded row by row eastward into an area reportedly already treated with pesticides. J. RESENDIZ, stated the pesticide application began approximately 12 to 15 rows into the field, but from there proceeded westward toward FMG employees. Both M. GALVAN and J. RESENDIZ stated there was no wind when the pesticide application started. The California Irrigation Management Information System reports wind speed during the approximate time of pesticide application was 2.4 to 3.1 mph with wind direction ranging between north/northwest to west/southwest.

M. TITTLE of Los Amigos Harvesting stated (1) a Gearmore P42NI-400G with spray nozzles ranging in height from ground level to approximately five feet was used to make the pesticide application at Garrett Farms site 1A the morning of June 29, 2017, and (2) the resultant spray droplet size was "very fine" pursuant to the American Society of Agricultural and Biological Engineers S572.1 standard (Attachment 1). Said standard indicates a "very fine" droplet size has a "high" potential for drift, i.e., off site movement. Appreciating the spray nozzles were directed perpendicularly out from the spray rig, and said rig applied pesticide along raspberry rows running parallel to the service road separating Garrett Farms site 1A and neighboring Coastal Berry - North site 21A, pesticide spray was directed toward nearby FMG employees.

Interviews were conducted with 23 of the 24 FMG Farm Contractor employees that were working at Coastal Berry - North site 21A Bronson Ranch during the pesticide exposure incident. All eight of the employees that received professional medical care for pesticide exposure reported seeing the pesticide application mist and experienced a strong/bad odor. One of these employees reported pesticide contaminating her skin and clothes and saw the surface of the harvesting trailer's table top wet with pesticide. Of the remaining 15 employees, eight reported seeing the pesticide application mist and five experienced a strong/bad odor. Once FMG employees started exhibiting symptoms of pesticide exposure, their supervisor ordered them out of the area. M. GALVAN stated he spoke with FMG employees prior to his application of pesticides and asked (1) how long they would be in the area, and (2) that they signal to him if they experienced any pesticide odor. M. Galvan's foregoing statements were corroborated by FMG employees. Dole Fresh Foods Caneberry Manager Freddie Yanez ordered the picked fruit on the harvesting trailer's table be destroyed due to possible pesticide contamination.

The PUR received from M. TITTLE that he stated was for the pesticide application made to Garrett Farms site 1A Nugent Ranch on June 29, 2017, possesses an incorrect application date. When questioned regarding said PUR's erroneous date, Los Amigos Harvesting failed to comment. However, the annotated pesticide recommendation received for said application indicates pesticides DiPel DF, Pristine Fungicide, Rally 40WSP, and Widespread Max were applied to said site on June 29, 2017, from 7:00 a.m. to 8:30 a.m. and again later that same day from 4:00 p.m. to 6:00 p.m. Further, CalAgPermits pesticide use information for Garrett Farms site 1A Nugent Ranch indicates only one pesticide application was made in June 2017, i.e., Pristine Fungicide (and two other pesticides) on June 9. However, information received from M. TITTLE indicates applications to said site occurred on June 8, 9 and 29, 2017.

Raspberry plant foliar samples collected at Coastal Berry - North site 21A Bronson Ranch and Garrett Farms site 1A Nugent Ranch on June 29, 2017, were analyzed for the presence of Pristine Fungicide and Rally 40WSP; two of the four pesticides applied at Garrett Farms site 1A Nugent

Ranch on the morning of the June 29, 2017, purported pesticide exposure incident. Referenced samples tested positive for the presence of Pristine Fungicide and Rally 40WSP. Available evidence indicates said pesticides were also applied by Coastal Berry - North to their site 21A Bronson Ranch during the month of June, but not to block #7 where the FMG employees were working the morning of the June 29, 2017, purported pesticide exposure incident.

M. GALVAN made the pesticide application to Garrett Farms site 1A Nugent Ranch on the morning of the June 29, 2017, purported pesticide exposure incident and was an employee under the primary direction and control of farm labor contractor Los Amigos Harvesting. Department of Pesticide Regulation records and P. GARRETT both indicate Los Amigos Harvesting did not possess a valid Pest Control Business (PCB) license that is required of a farm labor contractor (FLC) before providing to a client (i.e., Garrett Farms) employees that perform pest control under the primary direction and control of that FLC. Further, said company (1) operated as a pest control business in Santa Cruz County without first registering as such with the Santa Cruz CAC, and (2) failed to submit pesticide use reports to the CAC within seven days of completion of pesticide applications.

Los Amigos Harvesting employees J. RESENDIZ and O. ORTIZ saw Coastal Berry - North pesticide application tractors at their site 21A Bronson Ranch. One of the sightings was at 8:00 p.m. the night before the exposure incident and the other on the morning of the exposure incident. Said tractors were either sitting idle, being washed or driven in the vicinity of the incident. None of the tractors were observed making a pesticide application. O. ORTIZ also observed pesticide applications signs posted at referenced site. Title 3 CCR 6776(c), Attachment 2, allows pesticide application signs to be posted up to 24 hours prior to a pesticide application and may remain posted at an application site for three days after the end of the application restricted entry interval.

Employee pesticide handler training records regarding M. GALVAN and J. RESENDIZ submitted by their employer Los Amigos Harvesting lacked information required by California Code of Regulations, i.e., spray adjuvant Widespread Max was not listed as a pesticide for which training was provided.

The Coastal Berry - North application-specific information display forms for June, 2017, were lacking information required by regulation, i.e., June 23 and 25, 2017, pesticide applications to site 21A Bronson Ranch and a June 28 application of Pristine Fungicide to block #8 of said ranch.

Additionally, Coastal Berry - North written recommendations indicate pesticide applications were made to referenced ranch on June 3 and 27, 2017, yet these applications were not reported as required by regulation and do not appear in CalAgPermits pesticide use records.

Fieldworker safety training records submitted by FMG Farm Contractor, Inc. for their employees working at Coastal Berry - North site 1A Bronson Ranch on the morning of June 29, 2017, indicate only 14 of the 24 employees received requisite field worker safety training within the past year before beginning work in a treated field. However, when interviewed, 22 of the 24 employees stated they had received fieldworker safety training within the past year. This discrepancy may be due in part to a lack of specificity in the question posed to employees during the interview and employees conflating fieldworker safety training pursuant to 3 CCR 6764 with other training provided by said employer (e.g., drug use in the workplace, heat stress). Referenced records indicate employees [REDACTED] and C. CAMARILLO did not receive fieldworker safety training from FMG Farm Contractor, Inc. and both employees stated they had not received fieldworker safety training within the past year as required by regulation. Referenced employer's safety training records lacked information required by Title 3 of California Code of Regulations, i.e., titles and sources of training materials and trainer's name and qualifications.

Conclusions

Coastal Berry - North failed to submit a PUR for pesticide applications made to their site 21A Bronson Ranch on June 3 and June 27, 2017, and thereby violated 3 CCR 6626(a) that states:

(a) The operator of the property which is producing an agricultural commodity shall report the use of pesticides applied to the crop, commodity, or site to the commissioner of the county in which the pest control was performed. This report must be submitted by the 10th day of the month following the month in which the work was performed. This report is not required if the pesticide use is reported to the commissioner by pest control business as specified in subsection (b); however, the operator of the property treated, shall retain a copy of the business' "Report by Site" for two years.

Coastal Berry - North failed to include requisite information regarding their pesticide applications made to their site 21A Bronson Ranch on June 23, 25 and 28, 2017, in their application-specific information display for June 2017, and thereby violated 3 CCR 6723.1(a) and (b) that state:

(a) The operator of property used for the commercial or research production of an agricultural plant commodity shall display, at a central location, the following application-specific information while employees are employed to handle pesticides:

- (1) The crop or site treated and identification of the treated area;*
- (2) The date(s) and time(s) the application started and ended;*
- (3) Restricted entry interval;*
- (4) Product name, U.S. EPA registration number, and active ingredients; and*
- (5) A copy of the Safety Data Sheet(s) for the applied pesticide(s).*

(b) The information shall be displayed within 24 hours of the completion of an application and include all applications that have been made to any treated field on the agricultural establishment within 1/4 mile of where employees will be working. Once displayed, the information shall remain displayed until the area no longer meets the definition of a

treated field or handler employees will no longer be on the establishment, whichever occurs earlier.

FMG Farm Contractor, Inc. training records indicate 14 of the 24 employees working at Coastal Berry - North site 21A Bronson Ranch the morning of the pesticide exposure incident received fieldworker safety training from said employer. Of the remaining ten employees, eight may or may not have received requisite training within the past year from an employer other than FMG Farm Contractor, Inc., and two did not receive said training within the past year which is a violation of 3 CCR 6764(a) and (b) that state:

- (a) The employer shall assure that each employee assigned to work in a treated field has been trained within the last 12 months, in a manner the employee understands, before beginning work in the treated field.*
- (b) The training shall include the following information:*
 - (1) Importance of routine decontamination and washing thoroughly after the exposure period;*
 - (2) Restricted entry intervals and what posting means, including both California and federal field posting sign formats;*
 - (3) Where pesticides are encountered, including treated surfaces in the field, residues on clothing, chemigation and drift;*
 - (4) Routes of exposure;*
 - (5) The hazards of pesticides, including acute effects, chronic and delayed effects, and sensitization effects;*
 - (6) Common signs and symptoms of overexposure;*
 - (7) First aid including decontamination, eye flushing, and obtaining emergency medical care;*
 - (8) Warnings about taking pesticides or pesticide containers home;*
 - (9) Prevention, recognition, and first aid for heat-related illness in accordance with Title 8 of the California Code of Regulations, section 3395;*
 - (10) The hazard communication program requirements of section 6761; and*
 - (11) Employee rights, including the right:*
 - (A) To personally receive information about pesticides to which he or she may be exposed;*
 - (B) For his or her physician or employee representative to receive information about pesticides to which he or she may be exposed; and*
 - (C) To be protected against retaliatory action due to the exercise of any of his or her rights.*

FMG Farm Contractor, Inc. failed to include requisite information in their fieldworker training records and thereby violated 3 CCR 6764(e) that states:

- (e) The record of initial and annually required training given to the employee must include the date; employee's printed name and signature; the title(s) and source(s) of the training materials used; employer's name; and trainer's name and qualifications as specified in (f). This record shall be retained by the employer for two years at a central location at the workplace accessible to employees. The record must be provided to the employee upon request.*

FMG Farm Contractor, Inc. failed to ensure five employees who reported pesticide exposure related physical symptoms to the crew foreman were taken to a physician and thereby violated 3 CCR 6766(c) that states:

(c) When there are reasonable grounds to suspect that an employee has a pesticide illness, or when an exposure to a pesticide has occurred that might reasonably be expected to lead to an employee's illness, the employer shall ensure that the employee is taken to a physician immediately.

Investigative findings indicate 15 of the 24 FMG Farm Contractor, Inc. employees working at Coastal Berry - North site 1A Bronson Ranch on the morning of June 29, 2017, experienced physical symptoms as a result of exposure to pesticides applied on neighboring Garrett Farms site 1A Nugent Ranch by farm labor contractor Los Amigos Harvesting. Eight of these 15 employees received professional medical care for their symptoms. Los Amigos Harvesting failed to perform pest control in a careful and effective manner and thereby violated 3 CCR 6600(b) and (e) that state:

(b) Perform all pest control in a careful and effective manner.
(e) Exercise reasonable precautions to avoid contamination of the environment.

The pesticide application made by Los Amigos Harvesting to Garrett Farms site 1A Nugent Ranch on the morning of June 29, 2017, posed a reasonable possibility of (1) contaminating the bodies or clothing of nearby FMG employees; (2) contaminating private property or nontarget crops (i.e., Coastal Berry - North site 21A Bronson Ranch and crops therein); and (3) creation of a health hazard causing the illness of FMG employees and preventing normal use of said property (i.e., harvest and sale of fruit therein). Los Amigos Harvesting thereby violated 3 CCR 6614 that states:

(a) An applicator prior to and while applying a pesticide shall evaluate the equipment to be used, meteorological conditions, the property to be treated, and surrounding properties to determine the likelihood of harm or damage.
(b) Notwithstanding that substantial drift would be prevented, no pesticide application shall be made or continued when:
(1) There is a reasonable possibility of contamination of the bodies or clothing of persons not involved in the application process;
(2) There is a reasonable possibility of damage to nontarget crops, animals, or other public or private property; or
(3) There is a reasonable possibility of contamination of nontarget public or private property, including the creation of a health hazard, preventing normal use of such property. In determining a health hazard, the amount and toxicity of the pesticide, the type and uses of the property and related factors shall be considered.

Los Amigos Harvesting failed to submit PURs for June 8 and 9, 2017, within seven days of completion of the pesticide application and thereby violated 3 CCR 6626(b) that states:

(b) An agricultural pest control business shall report the use of pesticides applied by it for the production of an agricultural commodity to the commissioner of the county in which the pest control was performed. This report must be submitted within seven days of completion of the pesticide application. A copy of the report shall be sent by the business

to the operator of the property where the pest control was done within 30 days of completion of the pesticide application.

Los Amigos Harvesting failed to assure their employee pesticide handler M. GALVAN's compliance with laws and regulations (i.e., FAC 12973 and 3 CCR 6614) when performing pest control and thereby violated 3 CCR 6702(a) and (b)(3) and (5) that states:

- (a) The employer shall comply with each regulation in this subchapter which is applicable to the employer's action or conduct.*
- (b) The employer:*
 - (3) shall assure safe work practices, including all applicable regulations and pesticide product labeling requirements, are complied with;*
 - (5) shall assure that employees handle and use pesticides in accordance with the requirements of law, regulations, and pesticide product labeling requirements.*

Los Amigos Harvesting employee pesticide handler training records regarding M. GALVAN and J. RESENDIZ do not list spray adjuvant Widespread Max as a pesticide for which training was provided and thereby violated 3 CCR 6724(b) that states:

- The employer shall assure that employees who handle pesticides have been trained pursuant to the requirements of this section and that all other provisions of this section have been complied with for employees who handle pesticides.*
- (b) The training shall cover, for each pesticide or chemically similar group of pesticides, to be used:*

Los Amigos Harvesting provided primary direction and control over the pesticide use related work, services or activities of their employee pesticide handler M. GALVAN and was therefore operating a pest control business without first obtaining a valid pest control business license and thereby violated FAC 11701 that states:

It is unlawful for a person to advertise, solicit, or operate as a pest control business, unless the person has a valid pest control business license issued by the director.

Los Amigos Harvesting operated a pest control business in Santa Cruz County without first registering as such with the Santa Cruz CAC and thereby violated FAC 11732 that states:

It is unlawful for any person to advertise, solicit, or operate as a pest control business in any county unless the person has registered with the commissioner for the current calendar year.

Los Amigos Harvesting's use of pesticides DiPel DF, Pristine Fungicide and Rally 40 WSP was in conflict with the products' label statement "Do not apply this product in a way that will contact workers or other persons, either directly or through drift" and thereby violated FAC 12973 that states:

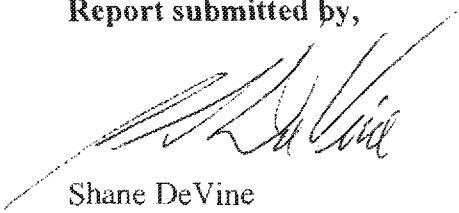
The use of any pesticide shall not conflict with labeling registered pursuant to this chapter which is delivered with the pesticide or with any additional limitations applicable to the conditions of any permit issued by the director or commissioner.

ATTACHMENTS

1. ASABE S572.1 Droplet Size Calculation, American Society of Agricultural and Biological Engineers, Standard S572.1
2. California Code of Regulations, referenced sections
3. California Food and Agricultural Code, referenced sections
4. California Restricted Material Permit, #44-17-27P192A, Coastal Berry - North
5. California Restricted Material Permit, #44-17-440168A, Garrett Farms
6. Doctor's First Report of Occupational Injury or Illness (1 each) and Pesticide Incident Reports (6 each), alphabetical order
7. E-mail, The Saqui Law Group, December 15, 2017
8. *Farm Labor Contractor - Determining When a Pest Control Business License is Required by a Farm Labor Contractor*, PML 01-12, California Department of Pesticide Regulation
9. Field Worker Safety Inspection Report, #103-44-17-M002-013, FMG Farm Contractor, Inc.
10. Field Worker Safety Inspection Report, #103-44-17-M002-014, Los Amigos Harvesting
11. Field worker training records, FMG Farm Contractor, Inc.
12. Handler training program, Garrett Farms, employees Galvan, M. and Resendiz, J. (includes records)
13. Handler training program, Los Amigos Harvesting, employees Galvan, M. and Resendiz, J. (includes records)
14. Incident Report, Watsonville Fire Department, #2017-1001690 (includes Watsonville Fire Department document entitled Prehospital Care Report and memorandum requesting information)
15. Investigative Sample Analysis Report, samples #R17C00290, #R17C00291, #R17C00292, #R17C00293, #R17C00294, R17C000295 (includes sampling map)
16. Label, DiPel DF Biological Insecticide, EPA Reg. No. 73049-39, pages 1 and 2 of 2
17. Label, Pristine Fungicide, EPA Reg. No. 7969-199, pages 1-3, 9, 12 and 13 of 33
18. Label, Rally 40WSP, EPA Reg. No. 62719-410, pages 1-3, 5 and 27-31 of 80
19. Label, Widespread Max, CA Reg. No. 34704-5006I, pages 1, 2 and 3 of 3
20. List of Crew, FMG Farm Contractor, Inc., Coastal Berry - North Bronson Ranch site 21A, June 29, 2017 (includes annotated version of Personnel List)
21. Map, lot identification, Coastal Berry - North, Bronson Ranch, site 21A
22. Medical Records, seven total, alphabetical order (include Medical Information Authorization forms and faxes requesting information)
23. *Pesticide Use Enforcement Program Standards Compendium*, Volume 8, CDPR, Section 6.7 - Employer Identification, pages 6-16 to 6-19
24. Pesticide Use Reports, Coastal Berry - North, June 2017 (includes application-specific information and CalAgPermits database information)
25. Pesticide Use Reports, Garrett Farms, June 2017 (includes application-specific information and CalAgPermits database information)
26. Photographs, pesticide exposure incident site, June 29, 2017
27. Prehospital Care Reports, American Medical Response of Santa Cruz County, 5 each, alphabetical order (includes memorandum requesting information)
28. Recommendation, #6649, Daniel Schmida, PCA, Garrett Farms June 29, 2017 pesticide application (includes single page annotated version)
29. Registration, Farm Labor Contractor, Santa Cruz County, FMG Farm Contractor, Inc., License # FLC000185517, year 2017

30. Registration, Farm Labor Contractor, Santa Cruz County, Los Amigos Harvesting, License # FLC000234426, year 2017
31. Safety Data Sheets, pesticides DiPel DF Biological Insecticide (pages 1-3, 6 and 7 of 11), Pristine Fungicide (page 1-4 and 8 of 12), Rally 40WSP (pages 1-3, 8 and 10 of 14), Widespread Max (pages 1, 2 and 4 of 6), alphabetical order
32. Weather report, June 29, 2017, California Irrigation Management System

Report submitted by,

A handwritten signature in black ink, appearing to read 'Shane DeVine', is written over a horizontal line.

Shane DeVine
Agricultural Biologist III
April 26, 2018

From: Tina Levine
To: King, Marquee; Knott, Steven
Subject: A couple of questions
Date: Monday, June 25, 2018 1:54:05 AM

Hi guys,

It's been a while. I have been working with Bill Jordan on following the revisions to the Agricultural Worker Safety Rule and Certification Standards. Rules are generally sent to the SAP before they go to OMB for review. These rules are currently at OMB. But we don't think they have been sent to SAP for review. I am writing to confirm this.

We think there are some important scientific issues that would benefit from SAP review so we are urging the SAP not to waive the review of these rules. We will be drafting a letter to this effect.

In addition, i was communicating with Marion Ehrich about this and she told me she was leaving the SAP on July 1. Are other "permanent" members leaving? Have replacement(s) been named?

Thanks.

Tina Levine

Certain browser plug-ins or extensions, such as Grammarly, may interfere with submitting comments on the comment form. If you have issues, please disable browser plugins and extensions and try submitting your comment again. If you need additional assistance, please contact the Help Desk at 1-877-378-5457.



Comment submitted by W. Jordan

The is a Comment on the **Environmental Protection Agency (EPA) Notice: Meetings: Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel; Nominations of Ad Hoc Panel Members**

For related information, [Open Docket Folder](#)

Comment Period Closed

Mar 19 2018, at 11:59 PM ET

ID: EPA-HQ-OPP-2017-0693-0037

Tracking Number: 1k2-9240-jadn

Document Information

Date Posted:

Mar 30, 2018

[Show More Details](#)

Comment

To the Members of the FIFRA Science Advisory Panel:

As you may know, in late December 2017, the Environmental Protection Agency ("EPA") announced that it has started to prepare two rulemakings to modify requirements in the Agricultural Worker Protection Standard ("WPS") and Certification of Pesticide Applicators rule (CPA). See 82 Fed. Reg. 60, 195 (Dec. 19, 2017); 82 Fed. Reg. 60,576 (Dec. 21, 2017). The WPS and CPA rules, which were updated in 2015 and 2017 following lengthy public engagement processes, are vital to the protection of the environment and public health - especially the health of children, women and men who labor in agriculture and who apply restricted use pesticides in agricultural, commercial and residential settings. Of great concern, the proposal to revise these rules will weaken protections for children who work in the fields or who mix, load and apply pesticides.

As you know, the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA") requires that the FIFRA Scientific Advisory Panel be given 60 days to "comment as to the impact on health and the environment" of drafts of proposed FIFRA rules. 7 U.S.C. 136w(d)(1). With the lives of children and families and the quality of the environment at stake, we write to strongly urge you to conduct an in-depth scientific review of the health and environmental impacts of the proposed weakening of these rules on farmworkers, especially farmworkers who are under the age of 18, their families, and rural communities. In particular, we ask that

you: 1) conduct a full review of the draft proposals to modify the WPS and CPA rules; 2) add these matters to the agenda of one of the SAP's public meetings - either a meeting devoted exclusively to these matters or to the agenda of the upcoming meeting in May 2018; and 3) issue written findings on your conclusions.

Thank you very much for your consideration.
William Jordan



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 31 2019

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

MEMORANDUM

SUBJECT: Request for Waiver of Scientific Advisory Panel (SAP) Review-- Proposed Rule: Pesticides; Agricultural Worker Protection Standard; Revision of the Application Exclusion Zone Requirements (SAN 6331.1)

FROM: Richard P. Keigwin, Jr., Director *R. Keigwin*
Office of Pesticide Programs (7501P)

TO: Steven Knott, Executive Secretary
FIFRA Scientific Advisory Panel (7201M)
Office of Science Coordination and Policy

Attached is the proposed rule, entitled "Pesticides; Agricultural Worker Protection Standard; Revision of the Application Exclusion Zone Requirements (SAN 6331.1)." This draft proposed rule is proposing changes to the requirements in the Agricultural Worker Protection Standard (WPS) related to the application exclusion zone (AEZ) for outdoor production pesticide applications.

Specifically, EPA is proposing revisions to limit the AEZ requirements to within the boundaries of the agricultural establishment, to address issues raised by stakeholders about when handlers may resume an application that has been suspended, to clarify and simplify the AEZ requirements for outdoor production related to spray quality/droplet size and distance criteria, and to expand the exemption for owners of agricultural establishments and their immediate families to exempt them from the requirement to evacuate the AEZ when in an enclosed building. This draft proposal also maintains the "do not contact" provision in the WPS that prohibits the handler and the handler's employer from allowing a pesticide application to result in any contact to people other than appropriately trained and equipped handlers involved in the application. These proposed changes are intended to reduce the complexity of complying with the AEZ requirements, to improve the states' ability to enforce the requirements, and to reduce regulatory burdens on agricultural communities while ensuring that workers, handlers, and other persons in areas where pesticide applications are taking place are protected.

As there are no significant science questions associated with this proposed rule, I am requesting that the SAP waive its review of this proposed rule. I would appreciate your prompt review of this request. Questions may be directed to Jacqueline Mosby at 703-305-7102, or via email at mosby.jackie@epa.gov.

Attachment



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

MEMORANDUM

SUBJECT: Request for waiver of FIFRA Scientific Advisory Panel (SAP) Review of the Proposed Rule: "Pesticides; Agricultural Worker Protection Standard; Revision of the Application Exclusion Zone Requirements" (SAN 6331.1)

FROM: Steven M. Knott, M.S., Executive Secretary
FIFRA Scientific Advisory Panel

**STEVEN
KNOTT**

Digitally signed by
STEVEN KNOTT
Date: 2019.08.01
14:44:09 -04'00'

TO: Robert Chapin, Ph.D., Chair
FIFRA Scientific Advisory Panel

Attached is the draft proposed rule titled "Pesticides; Agricultural Worker Protection Standard; Revision of the Application Exclusion Zone Requirements" (SAN 6331.1). The purpose of this rulemaking is to reduce the complexity of complying with the application exclusion zone (AEZ) requirements, to improve the states' ability to enforce the requirements, and to reduce regulatory burdens on agricultural communities while ensuring that workers, handlers, and other persons in areas where pesticide applications are taking place are protected. The Agency has noted that there are no significant science questions associated with this proposed rule. Therefore, the Agency is requesting that the FIFRA SAP waive its review of this draft proposed rule.

Also attached are public comments on EPA's proposed revisions to the Worker Protection Standard. Included are two letters we believe were sent to all FIFRA SAP members, a submission to a FIFRA SAP meeting docket, and an email to EPA staff.

Please indicate below whether you concur with EPA's request and I will notify the Agency accordingly.

RECOMMENDATION:

The FIFRA Scientific Advisory Panel waives scientific review and comment on the draft proposed rule titled "Pesticides; Agricultural Worker Protection Standard; Revision of the Application Exclusion Zone Requirements" (SAN 6331.1). The draft proposed rule does not contain scientific issues that warrant review by the Panel.

Concur _____

(Date)

Non-Concur

Robert E Chapin

8 Aug 2019

(Date)

Message

From: Parrott, Patricia [parrott.patricia@epa.gov]
Sent: 2/23/2018 6:49:58 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]
CC: Mosby, Jackie [Mosby.Jackie@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]
Subject: AEZ Options selection review needed
Attachments: ppv2Option Selection AEZ FINAL DRAFT 2 23 18.pptx

Bob/Scott: Would you pls review the attached slides for the AEZ options selection meeting on Tuesday? We need to get it to Nancy and Charlotte on Monday, so your prompt attention is appreciated! Thanks.

Patricia Parrott
Senior Advisor/Homeland Security Lead
Field and External Affairs Division
Office of Pesticide Programs
US EPA (Mail Code 7506P)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone: 703 305-0744
parrott.patricia@epa.gov

Message

From: Keller, Kaitlin [keller.kaitlin@epa.gov]
Sent: 2/20/2018 9:46:36 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]
Subject: FW: Materials for Tuesday's Options Selection Pre-Brief
Attachments: Option Selection Designated Rep 2 14 18 OGC FINAL.sbg.pptx; Option Selection AEZ 2 14 18 OGC FINAL.sbg.pptx; Options selection min age 2 15 18 OGC FINAL.pptx

From: Keigwin, Richard
Sent: Monday, February 19, 2018 6:04 PM
To: Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Wise, Louise <Wise.Louise@epa.gov>
Cc: Keller, Kaitlin <keller.kaitlin@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>
Subject: Materials for Tuesday's Options Selection Pre-Brief

My apologies. I thought these materials were going to be provided to RCS on Friday.

Rick Keigwin
Director, Office of Pesticide Programs
US Environmental Protection Agency

Message

From: Garrison, Scott [Garrison.Scott@epa.gov]
Sent: 6/12/2019 12:10:53 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]; Cole, Joseph E. [cole.josephe@epa.gov]
Subject: Final(?) interagency review of WPS NPRM
Attachments: EPA RESPONSE_USDA-Comments_RIN2070-AK49_EO12866_AgWPS-AEZ_NPRM_2019-06-11.docx;
MARKUP_RIN2070-AK49_EO12866_AgWPS-AEZ_NPRM_FRdocument_2019-06-11.docx

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside EPA.

Ex. 5 Deliberative Process (DP)

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

From: Smith, Peterj
Sent: Tuesday, June 11, 2019 5:06 PM
To: Jones, Danielle Y. EOP/OMB <Danielle_Y_Jones@omb.eop.gov>
Cc: Gilbreath, Jan <Gilbreath.Jan@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>
Subject: EPA RESPONSE: EO 12866 Interagency Review: EPA's Pesticides; Agricultural Worker Protection Standard; Revision of the Application Exclusion Zone Requirements (RIN 2070-AK49)

Hi Danielle,

I am pleased to attach an revised NPRM markup reflecting edits made in response to the USDA comments received late this morning, along with responses to the USDA comments. We are confident that we have satisfactorily addressed USDA's comments and are hopeful that we will be able to conclude review tomorrow.

Best,
Peter

From: Jones, Danielle Y. EOP/OMB <Danielle_Y_Jones@omb.eop.gov>
Sent: Tuesday, June 11, 2019 11:08 AM
To: Smith, Peterj <Smith.Peterj@epa.gov>
Cc: Gilbreath, Jan <Gilbreath.Jan@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>
Subject: EO 12866 Interagency Review: EPA's Pesticides; Agricultural Worker Protection Standard; Revision of the Application Exclusion Zone Requirements (RIN 2070-AK49)

Hi Peter,

Attached are USDA's comments and below are some additional comments.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks,
Danielle

Danielle Y. Jones
Senior Policy Analyst
Office of Management and Budget | Office of Information and Regulatory Affairs
Phone: (202) 395-1741 | djones@omb.eop.gov

Message

From: Garrison, Scott [Garrison.Scott@epa.gov]
Sent: 2/13/2018 10:18:38 PM
To: Keaney, Kevin [Keaney.Kevin@epa.gov]
CC: Mosby, Jackie [Mosby.Jackie@epa.gov]; Perlis, Robert [Perlis.Robert@epa.gov]
Subject: RE: Option Selection Material
Attachments: Options selection min age 2 12 18 FINAL.sbg.pptx; Option Selection AEZ 2 12 18 FINAL.sbg.pptx; Option Selection Designated Rep 2 12 18 FINAL.sbg.pptx

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside EPA.

Ex. 5 Deliberative Process (DP)

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

-----Original Message-----

From: Keaney, Kevin
Sent: Tuesday, February 13, 2018 2:20 PM
To: Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Mosby, Jackie <Mosby.Jackie@epa.gov>
Subject: FW: Option Selection Material

Scott,

Please have a look at these PPTs that have been reworked to have consistent formats. Please let me know if the reformatting created substantive changes / problems. Thanks

Kevin

Kevin Keaney, Chief
Pesticide Worker Safety Programs
703-305-5557
keaney.kevin@epa.gov

Mail Address:	Courier Address:
U.S. EPA Headquarters	Potomac Yards South
1200 Pennsylvania Ave. NW	2777 Crystal Drive
Mail Code (7506P)	Room 7741
Washington DC 20460	Arlington, VA 22202

-----Original Message-----

From: Keaney, Kevin
Sent: Tuesday, February 13, 2018 8:22 AM
To: 'MOSBY.JACKIE@EPA.GOV' <Mosby.Jackie@epa.gov>; Patricia Parrott (parrott.patricia@epa.gov) <parrott.patricia@epa.gov>; Jeff Herndon (Herndon.George@epa.gov) (Herndon.George@epa.gov) <Herndon.George@epa.gov>
Cc: 'Jeanne Kasai' <Kasai.Jeanne@epa.gov>; 'Jennifer Park' <park.jennifer@epa.gov>; 'Kathy Davis' <Davis.Kathy@epa.gov>; 'Nancy Fitz' <Fitz.Nancy@epa.gov>; 'Richard Pont' <Pont.Richard@epa.gov>; 'Rivera-Lupianez, Ana (Rivera-Lupianez.Ana@epa.gov)' <Rivera-Lupianez.Ana@epa.gov>
Subject: Option Selection Material

Message

From: Garrison, Scott [Garrison.Scott@epa.gov]
Sent: 2/13/2018 9:34:56 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]
Subject: FW: Option Selection Material
Attachments: Options selection min age 2 12 18 FINAL.pptx; Option Selection AEZ 2 12 18 FINAL.pptx; Option Selection Designated Rep 2 12 18 FINAL.pptx; Options selection min age Cost - Benefit slides 2 12 18 FINAL.pptx

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside EPA.

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

-----Original Message-----

From: Keaney, Kevin
Sent: Tuesday, February 13, 2018 2:20 PM
To: Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Mosby, Jackie <Mosby.Jackie@epa.gov>
Subject: FW: Option Selection Material

Scott,

Please have a look at these PPTs that have been reworked to have consistent formats. Please let me know if the reformatting created substantive changes / problems. Thanks

Kevin

Kevin Keaney, Chief
Pesticide Worker Safety Programs
703-305-5557
keaney.kevin@epa.gov

Mail Address:	Courier Address:
U.S. EPA Headquarters	Potomac Yards South
1200 Pennsylvania Ave. NW	2777 Crystal Drive
Mail Code (7506P)	Room 7741
Washington DC 20460	Arlington, VA 22202

-----Original Message-----

From: Keaney, Kevin
Sent: Tuesday, February 13, 2018 8:22 AM
To: 'MOSBY.JACKIE@EPA.GOV' <Mosby.Jackie@epa.gov>; Patricia Parrott (parrott.patricia@epa.gov) <parrott.patricia@epa.gov>; Jeff Herndon (Herndon.George@epa.gov) (Herndon.George@epa.gov)
Cc: 'Jeanne Kasai' <Kasai.Jeanne@epa.gov>; 'Jennifer Park' <park.jennifer@epa.gov>; 'Kathy Davis' <Davis.Kathy@epa.gov>; 'Nancy Fitz' <Fitz.Nancy@epa.gov>; 'Richard Pont' <Pont.Richard@epa.gov>; 'Rivera-Lupianez, Ana (Rivera-Lupianez.Ana@epa.gov)' <Rivera-Lupianez.Ana@epa.gov>
Subject: Option Selection Material

Message

From: Garrison, Scott [Garrison.Scott@epa.gov]
Sent: 5/30/2019 5:09:52 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]
Subject: FW: FOR OPP MANAGEMENT REVIEW: Markup of WPS/AEZ NPRM
Attachments: RUNNING MARKUP_RIN2070-AK49_EO12866_AgWPS-AEZ_NPRM_FRdocument_2019-05-30.docx

Importance: High

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside EPA.

Ex. 5 Deliberative Process (DP)

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

From: Smith, Peterj
Sent: Thursday, May 30, 2019 11:54 AM
To: OPP FEAD CWPB <OPP_FEAD_CWPB@epa.gov>
Cc: Garrison, Scott <Garrison.Scott@epa.gov>; Gilbreath, Jan <Gilbreath.Jan@epa.gov>
Subject: FOR OPP MANAGEMENT REVIEW: Markup of WPS/AEZ NPRM
Importance: High

Hi everyone,

Ex. 5 Deliberative Process (DP)

Best,
Peter

NOTICE: If this electronic communication explains, justifies, or documents an official action or decision, it may be subject to federal records requirements. Federal employees should evaluate the contents of this message before deleting it.

Peter J. Smith | U.S. EPA | Office of Chemical Safety and Pollution Prevention
1200 Pennsylvania Ave., NW | Washington, DC 20460 | phone 202/564-0262 | email smith.peterj@epa.gov

Message

From: Jones, Danielle Y. EOP/OMB [Danielle_Y_Jones@omb.eop.gov]
Sent: 5/24/2019 1:40:29 PM
To: Smith, Peterj [Smith.Peterj@epa.gov]
CC: Hofmann, Angela [Hofmann.Angela@epa.gov]; DeBruhl, Brandon F. EOP/OMB [Brandon_F_DeBruhl@omb.eop.gov]; Gilbreath, Jan [Gilbreath.Jan@epa.gov]
Subject: EO 12866 Interagency Review: EPA's Pesticides; Agricultural Worker Protection Standard; Revision of the Application Exclusion Zone Requirements (RIN 2070-AK49)
Attachments: RIN2070-AK49_EO12866_AgWPS-AEZ_NPRM_FRdocument_2019-02-22_dlh6 rev 5-23-....docx

Hi Peter,

Please see the attachment with recommended edits and comments from CDC for EPA's consideration. If EPA would like to schedule a meeting with CDC for next week, please work with my colleague Brandon De Bruhl to schedule. I have cc him on this email.

Best,
Danielle

Danielle Y. Jones
Senior Policy Analyst
Office of Management and Budget | Office of Information and Regulatory Affairs
Phone: (202) 395-1741 | djones@omb.eop.gov

Message

From: Garrison, Scott [Garrison.Scott@epa.gov]
Sent: 3/19/2018 5:50:35 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]
Subject: briefing stuff
Attachments: Options selection MA DR and AEZ 1.26.18.sbg.docx; Options selection min age 2 12 18 FINAL.sbg.pptx

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside EPA.

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

Message

From: Garrison, Scott [Garrison.Scott@epa.gov]
Sent: 2/6/2018 3:04:01 PM
To: Strauss, Linda [Strauss.Linda@epa.gov]; Perlis, Robert [Perlis.Robert@epa.gov]
CC: Keigwin, Richard [Keigwin.Richard@epa.gov]; Sisco, Debby [Sisco.Debby@epa.gov]
Subject: RE: OGC review of revised AEZ Guidance
Attachments: AEZ QA Fact Sheet 2 5 18 PM Rick Qs PM ds.sbg.docx

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside EPA.

Ex. 5 Deliberative Process (DP)

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

From: Strauss, Linda
Sent: Monday, February 05, 2018 3:54 PM
To: Perlis, Robert <Perlis.Robert@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Keigwin, Richard <Keigwin.Richard@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>
Subject: RE: OGC review of revised AEZ Guidance

Use this one – one more tweak.

From: Strauss, Linda
Sent: Monday, February 05, 2018 3:39 PM
To: Perlis, Robert <Perlis.Robert@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Keigwin, Richard <Keigwin.Richard@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>
Subject: OGC review of revised AEZ Guidance

Ex. 5 Deliberative Process (DP)

Linda
202-564-0797

Message

From: Strauss, Linda [Strauss.Linda@epa.gov]
Sent: 2/5/2018 8:54:26 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]
CC: Keigwin, Richard [Keigwin.Richard@epa.gov]; Sisco, Debby [Sisco.Debby@epa.gov]
Subject: RE: OGC review of revised AEZ Guidance
Attachments: AEZ QA Fact Sheet 2 5 18 PM Rick Qs PM ds.docx

Use this one – one more tweak.

From: Strauss, Linda
Sent: Monday, February 05, 2018 3:39 PM
To: Perlis, Robert <Perlis.Robert@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Keigwin, Richard <Keigwin.Richard@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>
Subject: OGC review of revised AEZ Guidance

Ex. 5 Deliberative Process (DP)

Linda
202-564-0797

Message

From: Strauss, Linda [Strauss.Linda@epa.gov]
Sent: 2/5/2018 8:39:30 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]
CC: Keigwin, Richard [Keigwin.Richard@epa.gov]; Sisco, Debby [Sisco.Debby@epa.gov]
Subject: OGC review of revised AEZ Guidance
Attachments: AEZ QA Fact Sheet 2 5 18 PM Rick Qs PM ds.docx

Ex. 5 Deliberative Process (DP)

Linda
202-564-0797

Message

From: Strauss, Linda [Strauss.Linda@epa.gov]
Sent: 2/2/2018 5:32:44 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Kaczmarek, Chris [Kaczmarek.Chris@epa.gov]
CC: Sisco, Debby [Sisco.Debby@epa.gov]
Subject: RE: Here's my revision - AEZ Guidance Revision and Q's
Attachments: AEZ QA Fact Sheet 2 2 18 PM.docx

Ex. 5 Deliberative Process (DP)

Linda **Ex. 6 Personal Privacy (PP)**

From: Perlis, Robert
Sent: Friday, February 02, 2018 11:48 AM
To: Strauss, Linda <Strauss.Linda@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>
Cc: Sisco, Debby <Sisco.Debby@epa.gov>
Subject: RE: Here's my revision - AEZ Guidance Revision and Q's

Linda:

Ex. 5 Deliberative Process (DP)

Bob

Bob Perlis
Pesticides and Toxic Substances Law Office
Office of General Counsel
US EPA
(202) 564-5636

From: Strauss, Linda
Sent: Friday, February 02, 2018 11:15 AM
To: Perlis, Robert <Perlis.Robert@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>
Cc: Sisco, Debby <Sisco.Debby@epa.gov>
Subject: FW: Here's my revision - AEZ Guidance Revision and Q's

Ex. 5 Deliberative Process (DP)

Linda

From: Strauss, Linda

Sent: Friday, February 02, 2018 10:53 AM

To: Sisco, Debby <Sisco.Debby@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>

Cc: Lantz, Tracy <Lantz.Tracy@epa.gov>

Subject: Here's my revision - AEZ Guidance Revision and Q's

Thanks for everyone's great help on the call!

Ex. 5 Deliberative Process (DP)

Linda

From: Sisco, Debby

Sent: Friday, February 02, 2018 8:36 AM

To: Davis, Kathy <Davis.Kathy@epa.gov>; Strauss, Linda <Strauss.Linda@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>

Cc: Lantz, Tracy <Lantz.Tracy@epa.gov>

Subject: RE: AEZ Guidance Revision and Q's

It was attached. Sending again. ☺

Debby Sisco

Ethics Officer and Special Assistant to the Director
Office of Pesticide Programs (7501P)

US Environmental Protection Agency

4th floor - 4241 Potomac Yard South

(office: 703 308-8121; Mobile: Ex. 6 Personal Privacy (PP))

From: Davis, Kathy

Sent: Friday, February 2, 2018 8:33 AM

To: Strauss, Linda <Strauss.Linda@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>

Cc: Lantz, Tracy <Lantz.Tracy@epa.gov>
Subject: RE: AEZ Guidance Revision and Q's

Linda/Debby, can you forward the edited document for us? Thanks

Kathy

From: Strauss, Linda
Sent: Friday, February 02, 2018 8:24 AM
To: Sisco, Debby <Sisco.Debby@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>
Cc: Lantz, Tracy <Lantz.Tracy@epa.gov>
Subject: RE: AEZ Guidance Revision and Q's

Thanks, Debby.

From: Sisco, Debby
Sent: Friday, February 02, 2018 8:00 AM
To: Strauss, Linda <Strauss.Linda@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>
Cc: Lantz, Tracy <Lantz.Tracy@epa.gov>
Subject: RE: AEZ Guidance Revision and Q's

I'm not able to join you and I am sure FEAD is all you need, but I did go through the document and offer a few purely editorial edits.

Debby Sisco

Ethics Officer and Special Assistant to the Director
Office of Pesticide Programs (7501P)
US Environmental Protection Agency
4th floor - 4241 Potomac Yard South
(office: 703 308-8121; Mobile: Ex. 6 Personal Privacy (PP))

-----Original Appointment-----

From: Strauss, Linda
Sent: Friday, February 2, 2018 12:23 AM
To: Pont, Richard; Davis, Kathy; Keaney, Kevin; Sisco, Debby; Han, Kaythi; Dunton, Cheryl; Keller, Kaitlin
Cc: Lantz, Tracy
Subject: AEZ Guidance Revision and Q's
When: Friday, February 2, 2018 9:30 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Ex. 6 Personal Privacy (PP) code: Ex. 6 Personal Privacy (PP)

Ex. 5 Deliberative Process (DP)

Hope this time works for you.

Linda

Telework: **Ex. 6 Personal Privacy (PP)**

Message

From: Strauss, Linda [Strauss.Linda@epa.gov]
Sent: 2/2/2018 4:14:44 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Kaczmarek, Chris [Kaczmarek.Chris@epa.gov]
CC: Sisco, Debby [Sisco.Debby@epa.gov]
Subject: FW: Here's my revision - AEZ Guidance Revision and Q's
Attachments: AEZ QA Fact Sheet 2 2 18.docx

Ex. 5 Deliberative Process (DP)

Linda

From: Strauss, Linda
Sent: Friday, February 02, 2018 10:53 AM
To: Sisco, Debby <Sisco.Debby@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>
Cc: Lantz, Tracy <Lantz.Tracy@epa.gov>
Subject: Here's my revision - AEZ Guidance Revision and Q's

Thanks for everyone's great help on the call!

Ex. 5 Deliberative Process (DP)

Linda

From: Sisco, Debby
Sent: Friday, February 02, 2018 8:36 AM
To: Davis, Kathy <Davis.Kathy@epa.gov>; Strauss, Linda <Strauss.Linda@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>
Cc: Lantz, Tracy <Lantz.Tracy@epa.gov>
Subject: RE: AEZ Guidance Revision and Q's

It was attached. Sending again. ☺

Debby Sisco

Ethics Officer and Special Assistant to the Director
Office of Pesticide Programs (7501P)
US Environmental Protection Agency
4th floor - 4241 Potomac Yard South
(office: 703 308-8121; Mobile: Ex. 6 Personal Privacy (PP))

From: Davis, Kathy

Sent: Friday, February 2, 2018 8:33 AM

To: Strauss, Linda <Strauss.Linda@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>

Cc: Lantz, Tracy <Lantz.Tracy@epa.gov>

Subject: RE: AEZ Guidance Revision and Q's

Linda/Debby, can you forward the edited document for us? Thanks

Kathy

From: Strauss, Linda

Sent: Friday, February 02, 2018 8:24 AM

To: Sisco, Debby <Sisco.Debby@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>

Cc: Lantz, Tracy <Lantz.Tracy@epa.gov>

Subject: RE: AEZ Guidance Revision and Q's

Thanks, Debby.

From: Sisco, Debby

Sent: Friday, February 02, 2018 8:00 AM

To: Strauss, Linda <Strauss.Linda@epa.gov>; Pont, Richard <Pont.Richard@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>

Cc: Lantz, Tracy <Lantz.Tracy@epa.gov>

Subject: RE: AEZ Guidance Revision and Q's

I'm not able to join you and I am sure FEAD is all you need, but I did go through the document and offer a few purely editorial edits.

Debby Sisco

Ethics Officer and Special Assistant to the Director
Office of Pesticide Programs (7501P)
US Environmental Protection Agency
4th floor - 4241 Potomac Yard South
(office: 703 308-8121; Mobile: Ex. 6 Personal Privacy (PP))

-----Original Appointment-----

From: Strauss, Linda

Sent: Friday, February 2, 2018 12:23 AM

To: Pont, Richard; Davis, Kathy; Keaney, Kevin; Sisco, Debby; Han, Kaythi; Dunton, Cheryl; Keller, Kaitlin

Cc: Lantz, Tracy

Subject: AEZ Guidance Revision and Q's

When: Friday, February 2, 2018 9:30 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: 202-991-0477, code: 8384937

Ex. 5 Deliberative Process (DP)

Hope this time works for you.

Linda

Telework: **Ex. 6 Personal Privacy (PP)**

Message

From: Garrison, Scott [Garrison.Scott@epa.gov]
Sent: 1/24/2018 3:43:22 PM
To: Baptist, Erik [Baptist.Erik@epa.gov]; Schwab, Justin [Schwab.Justin@epa.gov]
CC: Perlis, Robert [Perlis.Robert@epa.gov]; Grant, Brian [Grant.Brian@epa.gov]
Subject: FW: URGENT for OGC review: WPS animated powerpoint for revision
Attachments: FINAL DRAFT AEZ HTC Fact Sheet 1 18 18 NB edits.docx; AEZ animation - people in AEZ off establishment ib.pptx; AEZ animation - general.pptx

Importance: High

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside EPA.

Ex. 5 Deliberative Process (DP)

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

From: Pont, Richard
Sent: Wednesday, January 24, 2018 10:39 AM
To: Garrison, Scott <Garrison.Scott@epa.gov>
Cc: Bennett, Isabella <Bennett.Isabella@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Lantz, Tracy <Lantz.Tracy@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; OPP FEAD CWPB <OPP_FEAD_CWPB@epa.gov>
Subject: RE: URGENT for OGC review: WPS animated powerpoint for revision
Importance: High

Scott,

Nancy Beck wants one last OGC review of her edits to the revised AEZ guidance document and they need it asap. Can we get your comments by noon today?

Please reply all. Thanks for your quick assistance!

Richard Pont
Certification and Worker Protection Branch
U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

From: Lantz, Tracy
Sent: Wednesday, January 24, 2018 10:27 AM
To: Pont, Richard <Pont.Richard@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; OPP FEAD CWPB <OPP_FEAD_CWPB@epa.gov>
Cc: Bennett, Isabella <Bennett.Isabella@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>
Subject: URGENT for OGC review: WPS animated powerpoint for revision
Importance: High

Hi CWPB,

Ex. 5 Deliberative Process (DP)

Tracy Lantz

Communications Services Branch
Field and External Affairs Division
Office of Pesticide Programs
Environmental Protection Agency
Office: (703) 308-6415

Mobile: Ex. 6 Personal Privacy (PP)

Lantz.tracy@epa.gov

From: Bennett, Isabella
Sent: Wednesday, January 24, 2018 9:54 AM
To: Lantz, Tracy <Lantz.Tracy@epa.gov>
Cc: Han, Kaythi <Han.Kaythi@epa.gov>
Subject: RE: WPS animated powerpoint for revision

How does this look to you?

From: Lantz, Tracy
Sent: Wednesday, January 24, 2018 9:44 AM
To: Bennett, Isabella <Bennett.Isabella@epa.gov>
Cc: Han, Kaythi <Han.Kaythi@epa.gov>
Subject: WPS animated powerpoint for revision

Hi Isabella,

Ex. 5 Deliberative Process (DP)

Tracy Lantz

Communications Services Branch
Field and External Affairs Division
Office of Pesticide Programs
Environmental Protection Agency
Office: (703) 308-6415

Mobile: Ex. 6 Personal Privacy (PP)

Lantz.tracy@epa.gov

Appointment

From: Keller, Kaitlin [keller.kaitlin@epa.gov]
Sent: 1/17/2018 7:11:52 PM
To: Keaney, Kevin [Keaney.Kevin@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Pease, Anita [Pease.Anita@epa.gov]; Kiely, Timothy [Kiely.Timothy@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Perlis, Robert [Perlis.Robert@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]; Keller, Kaitlin [keller.kaitlin@epa.gov]; Bolen, Derrick [bolen.derrick@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Smith, Peterj [Smith.Peterj@epa.gov]; Hofmann, Angela [Hofmann.Angela@epa.gov]; Mclean, Kevin [Mclean.Kevin@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Peffers, Mel [Peffers.Mel@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Hughes, Hayley [hughes.hayley@epa.gov]
CC: Baptist, Erik [Baptist.Erik@epa.gov]; Wise, Louise [Wise.Louise@epa.gov]; Hoyt, Sarita [Hoyt.Sarita@epa.gov]; Nelson, Tomeka [Nelson.Tomeka@epa.gov]; Burke, Marcella [burke.marcella@epa.gov]; Strauss, Linda [Strauss.Linda@epa.gov]
Subject: WPS & C&T Meeting
Attachments: CLEAN DRAFT WPS Options Selection Draft 1.16.18.docx
Location: DCRoomEast3156/DC-EPA-EAST-OCSP (Call in 1-866-299-3188, access code 2025642910)
Start: 1/17/2018 7:00:00 PM
End: 1/17/2018 7:30:00 PM
Show Time As: Tentative
Recurrence: Weekly
every Tuesday from 4:00 PM to 4:30 PM

Message

From: Garrison, Scott [Garrison.Scott@epa.gov]
Sent: 1/17/2018 6:30:02 PM
To: Baptist, Erik [Baptist.Erik@epa.gov]; Schwab, Justin [Schwab.Justin@epa.gov]
CC: Perlis, Robert [Perlis.Robert@epa.gov]; Grant, Brian [Grant.Brian@epa.gov]
Subject: FW: Revised AEZ Guidance document incorporating edits to address AAPCO/SFIREG state comments
Attachments: DRAFT AEZ HTC Fact Sheet for ITRMD + RP edits to address State comments.sbg.docx

Importance: High

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside EPA.

Ex. 5 Deliberative Process (DP)

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

From: Pont, Richard
Sent: Wednesday, January 17, 2018 12:14 PM
To: Garrison, Scott <Garrison.Scott@epa.gov>; Galloway, Carol <Galloway.Carol@epa.gov>
Subject: FW: Revised AEZ Guidance document incorporating edits to address AAPCO/SFIREG state comments
Importance: High

Hi Scott/Carol,

Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions.

Ex. 5 Deliberative Process (DP)

Richard Pont
Certification and Worker Protection Branch
U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

From: Pont, Richard

Sent: Wednesday, January 17, 2018 11:55 AM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>

Cc: Mosby, Jackie <Mosby.Jackie@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>; Lantz, Tracy <Lantz.Tracy@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Herndon, George <Herndon.George@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Strauss, Linda <Strauss.Linda@epa.gov>; Wormell, Lance <Wormell.Lance@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Fitz, Nancy <Fitz.Nancy@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>

Subject: Revised AEZ Guidance document incorporating edits to address AAPCO/SFIREG state comments

Rick,

Ex. 5 Deliberative Process (DP)

Richard Pont

Certification and Worker Protection Branch

U.S. EPA, Office of Pesticide Programs

phone: 703-305-6448

email: Pont.Richard@epa.gov

<http://www.epa.gov/pesticides/health/protecting-workers.html>

Message

From: Garrison, Scott [Garrison.Scott@epa.gov]
Sent: 1/16/2018 4:26:13 PM
To: Baptist, Erik [Baptist.Erik@epa.gov]; Schwab, Justin [Schwab.Justin@epa.gov]
CC: Perlis, Robert [Perlis.Robert@epa.gov]; Grant, Brian [Grant.Brian@epa.gov]
Subject: FW: DRAFT WPS AEZ guidance/fact sheet for SFIREG and AAPCO WPS Workgroup review
Attachments: AEZ animation - general.pptx; AEZ animation - people in AEZ off establishment.pptx; DRAFT AEZ HTC Fact Sheet for AAPCO SFIREG 1-9-18.docx

Confidential communication for internal deliberations only. Attorney-client privilege. Do not distribute outside EPA.

Ex. 5 Deliberative Process (DP)

Scott Garrison
Pesticides and Toxic Substances Law Office (2333A)
Office of General Counsel
U.S. Environmental Protection Agency
202-564-4047
garrison.scott@epa.gov

From: Pont, Richard
Sent: Tuesday, January 09, 2018 1:34 PM
To: Jones, Patrick <patrick.jones@ncagr.gov>; Cary Giguere <cary.giguere@state.vt.us>; tony.cofer@agi.alabama.gov
Cc: Fitz, Nancy <Fitz.Nancy@epa.gov>; Davis, Kathy <Davis.Kathy@epa.gov>; Keaney, Kevin <Keaney.Kevin@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Rivera-Lupianez, Ana <Rivera-Lupianez.Ana@epa.gov>; Park, Jennifer <park.jennifer@epa.gov>; Garrison, Scott <Garrison.Scott@epa.gov>; Galloway, Carol <Galloway.Carol@epa.gov>; Cobb, Christina <cobb.christina@epa.gov>; Hopkins, Yvette <Hopkins.Yvette@epa.gov>; Wire, Cindy <Wire.Cindy@epa.gov>; Wormell, Lance <Wormell.Lance@epa.gov>; Ryan, Emily <ryan.emily@epa.gov>; Zimmerman, Dea <Zimmerman.Dea@epa.gov>
Subject: DRAFT WPS AEZ guidance/fact sheet for SFIREG and AAPCO WPS Workgroup review

Hi Pat/Cary/Tony,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks again for your help with getting AAPCO's and SFIREG's input on this draft WPS AEZ guidance/fact sheet! Please let me know if you have any questions.

Richard Pont
Certification and Worker Protection Branch
U.S. EPA, Office of Pesticide Programs
phone: 703-305-6448
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>

Message

From: Kasai, Jeanne [Kasai.Jeanne@epa.gov]
Sent: 2/4/2019 2:42:57 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]
CC: Overstreet, Anne [overstreet.anne@epa.gov]
Subject: OGC - Time sensitive: WPS/AEZ
Attachments: DRAFT AgWPS-Reconsideration_NPRM_FRdocument_RP2019-01-30_AEZandMinorCorrections_Only_inTrackChanges.docx; DRAFT AgWPS-Reconsideration_NPRM_FRdocument_RP2019-01-30_AEZandMinorCorrections_Only_CLEAN COPY.docx; Acting Admin Wheeler to Sen Carper_no min age desig rep rulemaking Jan2019.pdf; Excerpt Wheeler to Carper ltr_no rules on min age or desigrep Jan2019.jpg

Importance: High

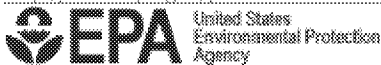
Hi Bob and Scott --

Management is requesting that we get the WPS/Application Exclusion Zone Federal Register Notice and accompanying documents (i.e., Economic Analysis) to them by tomorrow, Tues. Feb. 5th at 3 p.m.

Ex. 5 Deliberative Process (DP)

Thanks!
Jeanne

Jeanne Kasai, USEPA
Office of Pesticide Programs, Certification & Worker Protection Branch
tel. 703-308-3240, kasai.jeanne@epa.gov
<http://www.epa.gov/pesticide-worker-safety>



From: Pont, Richard
Sent: Thursday, January 31, 2019 8:45 AM
To: OPP FEAD CWPB <OPP_FEAD_CWPB@epa.gov>
Subject: DRAFT WPS NPRM for AEZ changes and other miscellaneous technical corrections and minor revisions to address inconsistencies/issues with rule text

Anne/All,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please let me know if anyone has any questions.

Richard Pont
Certification and Worker Protection Branch
U.S. EPA, Office of Pesticide Programs
email: Pont.Richard@epa.gov
<http://www.epa.gov/pesticides/health/protecting-workers.html>



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF THE
ADMINISTRATOR

The Honorable Thomas R. Carper
United States Senate
Washington, D.C. 20510

Dear Senator Carper:

This letter serves to highlight steps the Environmental Protection Agency is taking to address issues you have recently raised as further priorities. As always, I appreciate the continued dialogue between my staff and your staff on these issues and look forward to working together to achieve our shared environmental goals.

I fully appreciate that you want to know that the bipartisan work which went into the enactment of the Frank R. Lautenberg Chemical Safety Act for the 21st Century is fully reflected in its implementation by the EPA. I would like to commit to providing additional public information for the review of chemicals under this statute.

EPA receives approximately one thousand new premanufacturing notices (PMNs) from chemical manufacturers each year. These represent new products which manufacturers would like to place on the U.S. markets. EPA commits to ensuring that starting no later than May 31, 2019, all new PMNs, their attachments, including any health and safety studies, any modifications thereto, and all other associated information are placed online into electronic dockets accessible via ChemView within 45 days of their receipt following an evaluation of sensitive confidential business information. Each month, EPA will also publish in the *Federal Register* a notice of receipt of all PMNs, test marketing exemptions (TMEs) and notices of commencement (NOCs) received in the preceding calendar month. For PMNs, these notices will include at least the case numbers, amendment number and version, date received, manufacturer (if not CBI), use (specific, or generic if CBI), and chemical substance (specific and CAS number if not CBI, or the generic name if CBI). For TMEs we will make available the case, submission type, version, date received, manufacturer (if not CBI), use, and chemical substance. For NOCs we will also make available the case, date received, commencement date, if an amendment, the type of amendment (amendment to generic name, specific name, technical contact information, etc.), and chemical substance. EPA will also make available, via ChemView, each PMN reviewed and subject to a final determination, and will make available all underlying documents supporting EPA's risk determinations, as soon as practicable, with a goal of making this information public as close in proximity as possible to when a final determination is communicated to the PMN submitter.

EPA released a draft framework this year to guide the evaluation of PMNs and requested public comment. EPA will commit to working with the Committee on considering those public comments in our evaluation. EPA will publish its next version of this framework, and will hold a public meeting to solicit additional public comment and describe our working approaches within 60 days of its publication. EPA's framework will specify: (i) the statutory and scientific justifications for the approaches described, (ii) the policies and procedures EPA is using/plans to use in its PMN reviews, and (iii) its responses to public comments received.

I also understand that substantiation of new and re-substantiation of long-standing CBI claims is another concern. EPA commits to providing you with a report describing how the Agency is complying and will comply with Section 14 of the Frank R. Lautenberg Chemical Safety Act for the 21st Century within the next 180 days, with specific information and statistics related to the Agency's implementation of Section 14(g), as well as information on how and when the public will be able to track the status of EPA's reviews of CBI claims and have access to EPA's CBI determinations and associated documents on EPA's website. Additionally, before that time, EPA will describe how the Agency is requiring substantiation or re-substantiation of and reviewing CBI claims on chemicals undergoing risk evaluations, including EPA's plans to ensure both that the public is made aware of the outcome of those reviews and is provided access to any information no longer entitled to CBI protections (i) within 6 months of the release of a final determination regarding risk under TSCA section 6(b)(4)(A) for any chemical substance currently undergoing a risk evaluation, and (ii) before the release of the scope of the risk evaluation for other chemical substances.

The Agency has been developing proposals concerning the Agricultural Worker Protection Standard (WPS) rule, including changes to the designated representative and minimum age provisions, and application exclusion zone (AEZ) provisions. The Agency has also been developing changes to the Certification of Pesticide Applicators (CPA) rule. Although the subject matter associated with these potential changes has been subject to wide ranging public stakeholder meetings and public comments, EPA will withdraw its OMB submission to propose revisions to these rules and will not make any changes to the designated representative and minimum age provisions. It may consider proposing revisions to the AEZ provision in the WPS rule, but to no other substantive provision in the WPS rule. If such a proposal is issued, it would be subject to a public notice and comment period of no less than 90 days.

It is important that all of the Agency's chemical safety efforts comply with the requirements in the law as well as the regulations implementing the law regarding the Agency's use of the best available science. Consequently, the Agency will, promptly submit the methodology for deciding how to collect and evaluate scientific research related to a chemical's safety that was recently developed by the Office of Chemical Safety and Pollution Prevention (OCSPP) to the National Academy of Sciences (NAS) for peer review and feedback and, at the same time EPA will use the Frank R. Lautenberg Chemical Safety for the 21st Century Act Section 26(o) mandated advisory committee, a FACA committee, whose purpose is to provide independent advice and expert consultation with respect to the scientific and technical aspects of issues related to TSCA, to provide its independent advice on the methods used by OCSPP to collect and evaluate scientific research in the first ten risk evaluations. I also commit to make public the review, feedback and any recommendations received from both the NAS and the

advisory committee within 30 days of their receipt. Finally, EPA will incorporate feedback and recommendations as appropriate.

Additionally, I will ensure that for each of the first ten existing chemicals being reviewed under the new law, there will be at least 60 days made available for public comment on the draft risk evaluations with consideration of extensions as appropriate, and an effort will be made to stagger some of their public release in order to maximize the opportunity for review and thorough comments to be prepared and submitted.

EPA proposed a PFAS significant new use rule (SNUR) in 2015. The EPA is considering the public comments received as well as the new statutory requirements added by the Frank R. Lautenberg Chemical Safety for the 21st Century Act as it is moving forward to issue a supplemental proposed SNUR on PFAS.

I appreciate your continued interest in the implementation of the Frank R. Lautenberg Chemical Safety Act for the 21st Century. I want to assure you it is a mutual interest, and appreciate the opportunity to work with you on these and other matters of interest.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Wheeler", with a long horizontal flourish extending to the right.

Andrew R. Wheeler
Acting Administrator

cc: The Honorable John Barrasso
Chairman

Message

From: Perlis, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B74BB55BB480452D99E3E4FD07C06889-RPERLIS]
Sent: 8/13/2019 4:22:41 PM
To: Garrison, Scott [Garrison.Scott@epa.gov]
Subject: FW: wps AEZ
Attachments: WPS AEZ Senate hearing ry.qb2-2013-08-13.doc

Can you get comments back to Debby Sisco as soon as you can? Thanks...

Bob Perlis
Pesticides and Toxic Substances Law Office
Office of General Counsel
US EPA
(202) 564-5636

From: Sisco, Debby <Sisco.Debby@epa.gov>
Sent: Tuesday, August 13, 2019 12:21 PM
To: Perlis, Robert <Perlis.Robert@epa.gov>
Cc: Keigwin, Richard <Keigwin.Richard@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>
Subject: wps AEZ



WPS AEZ Senate
hearing ry.qb2-20...

Ex. 5 Deliberative Process (DP)

Debby Sisco

Ethics Officer and Special Assistant to the Director
Office of Pesticide Programs (7501P)
US Environmental Protection Agency
4th floor - 4241 Potomac Yard South
(office: 703 308-8121; **Ex. 6 Personal Privacy (PP)**)

Appointment

From: Perlis, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B74BB55BB480452D99E3E4FD07C06889-RPERLIS]
Sent: 11/21/2017 5:05:28 PM
To: Mclean, Kevin [Mclean.Kevin@epa.gov]
Subject: FW: WPS & C&T Meeting
Attachments: Summary - Key Aspects WP & CT.DOCX; WPS and Certification Rule Weekly Meeting #3 Nov 21 2017.docx; Worker list of training topics DAA fact sheet.docx; Minimum Age Background Information v2.docx; Certification Timeline 11 15 17.pdf
Location: PY-S12621; (Call in number [Ex. 6 Personal Privacy (PP)] access code [Ex. 6 Personal Privacy (PP)])
Start: 11/21/2017 9:00:00 PM
End: 11/21/2017 9:30:00 PM
Show Time As: Tentative

Recurrence: Weekly
every Tuesday from 4:00 PM to 4:30 PM

FYI

-----Original Appointment-----

From: Beck, Nancy
Sent: Thursday, November 02, 2017 3:45 PM
To: Beck, Nancy; Pont, Richard; Wyatt, TJ; Garrison, Scott; Perlis, Robert; Parrott, Patricia; Arling, Michelle; Dinkins, Darlene; Mosby, Jackie; Park, Jennifer; Mclean, Kevin; Lee, Andrew; Bertrand, Charlotte; Dourson, Michael; Peffers, Mel; Keaney, Kevin; Fitz, Nancy; Davis, Kathy; Keigwin, Richard; Kasai, Jeanne; Rivera-Lupianez, Ana; Miller, Wynne; Pease, Anita; Kiely, Timothy; Berwald, Derek; Keller, Kaitlin; Bolen, Derrick; Sands, Jeffrey
Cc: Hoyt, Sarita; Nelson, Tomeka; Baptist, Erik; Wise, Louise
Subject: WPS & C&T Meeting
When: Tuesday, November 21, 2017 4:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: PY-S12621; (Call in number [Ex. 6 Personal Privacy (PP)] access code [Ex. 6 Personal Privacy (PP)])

Appointment

From: Kasai, Jeanne [Kasai.Jeanne@epa.gov]
Sent: 1/30/2018 5:32:52 PM
To: Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Smith, Peterj [Smith.Peterj@epa.gov]; Galloway, Carol [Galloway.Carol@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Peffers, Mel [Peffers.Mel@epa.gov]; Cybulski, Walter [Cybulski.Walter@epa.gov]; Baumgartner, Donald [baumgartner.donald@epa.gov]; Firestone, Michael [Firestone.Michael@epa.gov]
CC: Calvo, Estrella [calvo.estrella@epa.gov]; Wilcoxon, Katy [Wilcoxon.Katy@epa.gov]
Subject: WPS and Certification Rule Workgroups - meeting before Options Selection
Attachments: adp09-24-15.pdf; Options selection MA DR and AEZ 1.26.18.docx
Location: DCRoomPYS7731E/Potomac-Yard-One

Start: 2/1/2018 7:00:00 PM
End: 2/1/2018 8:00:00 PM
Show Time As: Busy

Hi Everyone –

As you know, Kathy Davis, Richard Pont and I are the contacts for the Worker Protection Standard (WPS) and Certification of Applicators (Certification rule) regulatory proposals.

This invitation is for the workgroup to meet in preparation for the February 13th Options Selection (OS) meeting for both regulatory proposals. Sorry for the short notice!

Please call Ex. 6 Personal Privacy (PP) ID number Ex. 6 Personal Privacy (PP)

Ex. 5 Deliberative Process (DP)

Thanks!

Jeanne Kasai. EPA – Office of Chemical Safety & Pollution Prevention, Office of Pesticide Programs
tel. 703-308-3240, kasai.jeanne@epa.gov <http://www.epa.gov/pesticide-worker-safety>

Appointment

From: Davis, Kathy [Davis.Kathy@epa.gov]
Sent: 1/5/2018 4:16:22 PM
To: Davis, Kathy [Davis.Kathy@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Kiely, Timothy [Kiely.Timothy@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Wyatt, TJ [Wyatt.TJ@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]
CC: Smith, Peterj [Smith.Peterj@epa.gov]; Smoot, Cameo [Smoot.Cameo@epa.gov]
Subject: WPS and C&T Options Selections DRAFT
Attachments: Options Selection DR AEZ and MA draft 2 1.5.18.docx
Location: DCRoomPYS7731E/Potomac-Yard-One (DCRoomPYS7731E@epa.gov)
Start: 1/5/2018 8:00:00 PM
End: 1/5/2018 9:00:00 PM
Show Time As: Busy

Call in number Ex. 6 Personal Privacy (PP) code Ex. 6 Personal Privacy (PP)

An updated draft is attached that corrects my formatting problems!

Appointment

To: Beck, Nancy [beck.nancy@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Perlis, Robert [Perlis.Robert@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Smith, Peterj [Smith.Peterj@epa.gov]; Mclean, Kevin [Mclean.Kevin@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Dourson, Michael [dourson.michael@epa.gov]; Peffers, Mel [Peffers.Mel@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Hughes, Hayley [hughes.hayley@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Miller, Wynne [Miller.Wynne@epa.gov]; Pease, Anita [Pease.Anita@epa.gov]; Kiely, Timothy [Kiely.Timothy@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Keller, Kaitlin [keller.kaitlin@epa.gov]; Bolen, Derrick [bolen.derrick@epa.gov]

CC: Baptist, Erik [baptist.erik@epa.gov]; Wise, Louise [Wise.Louise@epa.gov]; Hoyt, Sarita [Hoyt.Sarita@epa.gov]; Nelson, Tomeka [Nelson.Tomeka@epa.gov]

Attachments: WPS and Certification Rule Weekly Meeting #4 Nov 28 2017.docx; Minimum Age Background Information 11 27 17.docx; AEZ Issue Paper 11 27 17.docx

Location: PY-S12100; (Call in number) Ex. 6 Personal Privacy (PP) access code Ex. 6 Personal Privacy (PP)

Start: 11/28/2017 9:00:00 PM

End: 11/28/2017 9:30:00 PM

Recurrence: (none)

Appointment

To: Beck, Nancy [beck.nancy@epa.gov]; Keaney, Kevin [Keaney.Kevin@epa.gov]; Fitz, Nancy [Fitz.Nancy@epa.gov]; Davis, Kathy [Davis.Kathy@epa.gov]; Richard Keigwin [Keigwin.Richard@epa.gov]; Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Rivera-Lupianez, Ana [Rivera-Lupianez.Ana@epa.gov]; Pont, Richard [Pont.Richard@epa.gov]; Wynne Miller [Miller.Wynne@epa.gov]; Pease, Anita [Pease.Anita@epa.gov]; Kiely, Timothy [Kiely.Timothy@epa.gov]; Wyatt, TJ [Wyatt.Tj@epa.gov]; Berwald, Derek [Berwald.Derek@epa.gov]; Garrison, Scott [Garrison.Scott@epa.gov]; Perlis, Robert [Perlis.Robert@epa.gov]; Parrott, Patricia [parrott.patricia@epa.gov]; Arling, Michelle [Arling.Michelle@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]; Keller, Kaitlin [keller.kaitlin@epa.gov]; Bolen, Derrick [bolen.derrick@epa.gov]; Mosby, Jackie [Mosby.Jackie@epa.gov]; Park, Jennifer [park.jennifer@epa.gov]; Smith, Peterj [Smith.Peterj@epa.gov]; Hofmann, Angela [Hofmann.Angela@epa.gov]; Mclean, Kevin [Mclean.Kevin@epa.gov]; Lee, Andrew [Lee.Andrew@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Peffers, Mel [Peffers.Mel@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Hughes, Hayley [hughes.hayley@epa.gov]

CC: Baptist, Erik [baptist.erik@epa.gov]; Wise, Louise [Wise.Louise@epa.gov]; Hoyt, Sarita [Hoyt.Sarita@epa.gov]; Nelson, Tomeka [Nelson.Tomeka@epa.gov]; Burke, Marcella [burke.marcella@epa.gov]; Strauss, Linda [Strauss.Linda@epa.gov]

Attachments: CLEAN DRAFT WPS Options Selection Draft 1.16.18.docx

Location: DCRoomEast3156/DC-EPA-EAST-OCSP (Call in Ex. 6 Personal Privacy (PP) access code Ex. 6 Personal Privacy (PP))

Start: 1/17/2018 7:00:00 PM

End: 1/17/2018 7:30:00 PM

Show Time As: Busy

Recurrence: (none)

Message

From: Kasai, Jeanne [Kasai.Jeanne@epa.gov]
Sent: 2/22/2019 4:44:39 PM
To: Gilbreath, Jan [Gilbreath.Jan@epa.gov]
CC: Curry, Bridgid [Curry.Bridgid@epa.gov]; Wiggins, Lanelle [Wiggins.Lanelle@epa.gov]; Nurse, Leanne [Nurse.Leanne@epa.gov]; Yarger, Ryne [Yarger.Ryne@epa.gov]; Smith, Peterj [Smith.Peterj@epa.gov]
Subject: RE: I need some information for processing the Ag worker protection exclusion zone rule
Attachments: OMB Comments on WPS NPRM_Response_DRAFT Revised 2.7.19.docx

Hi Jan –

Ex. 5 Deliberative Process (DP)

Thanks!

Jeanne

0

Jeanne Kasai, USEPA
Office of Pesticide Programs, Certification & Worker Protection Branch
tel. 703-308-3240, kasai.jeanne@epa.gov
<http://www.epa.gov/pesticide-worker-safety>



From: Gilbreath, Jan
Sent: Friday, February 22, 2019 11:37 AM
To: Kasai, Jeanne <Kasai.Jeanne@epa.gov>
Cc: Curry, Bridgid <Curry.Bridgid@epa.gov>; Wiggins, Lanelle <Wiggins.Lanelle@epa.gov>; Nurse, Leanne <Nurse.Leanne@epa.gov>
Subject: I need some information for processing the Ag worker protection exclusion zone rule

Jeanne,

Ex. 5 Deliberative Process (DP)

Jan

Jan Gilbreath, PhD
U.S. Environmental Protection Agency
Washington, D.C.
202-564-6279

Message

From: Kasai, Jeanne [Kasai.Jeanne@epa.gov]
Sent: 2/7/2019 8:47:49 PM
To: Smith, Peterj [Smith.Peterj@epa.gov]
Subject: FW: NOTE ON DRAFT WPS AEZ NPRM
Attachments: Draft AgWPS-Revision_NPRM_FRdocument_AEZ 2.7.19.docx; DRAFT Track Changes_AgWPS-Revision_NPRM_FRdocument_AEZ 2.7.19.docx; Cost Analysis AEZ 2019 02 07.docx; OMB Comments on WPS NPRM_Response_DRAFT Revised 2.7.19.docx

From: Kasai, Jeanne
Sent: Thursday, February 07, 2019 3:43 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Cc: Overstreet, Anne <overstreet.anne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Yarger, Ryne <Yarger.Ryne@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>
Subject: NOTE ON DRAFT WPS AEZ NPRM

Hi –

Ex. 5 Deliberative Process (DP)

Thanks –

From: Kasai, Jeanne
Sent: Thursday, February 07, 2019 3:01 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Cc: Overstreet, Anne <overstreet.anne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Yarger, Ryne <Yarger.Ryne@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>
Subject: DRAFT WPS AEZ NPRM

Hi Rick –

Anne Overstreet is okay with this and asked me to send it to you.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks goes to my partner in crime (so to speak) Ryne Yarger for all of his hard work on this.

We are on standby!

Thanks!
Jeanne

Jeanne Kasai, USEPA
Office of Pesticide Programs, Certification & Worker Protection Branch
tel. 703-308-3240, kasai.jeanne@epa.gov
<http://www.epa.gov/pesticide-worker-safety>



Message

From: Kasai, Jeanne [Kasai.Jeanne@epa.gov]
Sent: 2/7/2019 8:03:23 PM
To: Smith, Peterj [Smith.Peterj@epa.gov]
Subject: FW: DRAFT WPS AEZ NPRM
Attachments: Draft AgWPS-Revision_NPRM_FRdocument_AEZ 2.7.19.docx; DRAFT Track Changes_AgWPS-Revision_NPRM_FRdocument_AEZ 2.7.19.docx; Cost Analysis AEZ 2019 02 07.docx; OMB Comments on WPS NPRM_Response_DRAFT Revised 2.7.19.docx

FYI only, Peter -

From: Kasai, Jeanne
Sent: Thursday, February 07, 2019 3:01 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Miller, Wynne <Miller.Wynne@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Cc: Overstreet, Anne <overstreet.anne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>; Yarger, Ryne <Yarger.Ryne@epa.gov>; Berwald, Derek <Berwald.Derek@epa.gov>
Subject: DRAFT WPS AEZ NPRM

Hi Rick --

Anne Overstreet is okay with this and asked me to send it to you.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks goes to my partner in crime (so to speak) Ryne Yarger for all of his hard work on this.

We are on standby!

Thanks!

Jeanne

Jeanne Kasai, USEPA

Office of Pesticide Programs, Certification & Worker Protection Branch

tel. 703-308-3240, kasai.jeanne@epa.gov

<http://www.epa.gov/pesticide-worker-safety>



Message

From: Hofmann, Angela [Hofmann.Angela@epa.gov]
Sent: 2/6/2019 10:29:12 PM
To: Kasai, Jeanne [Kasai.Jeanne@epa.gov]; Yarger, Ryne [Yarger.Ryne@epa.gov]
CC: Overstreet, Anne [overstreet.anne@epa.gov]; Smith, Peterj [Smith.Peterj@epa.gov]
Subject: RE: Peter need your help
Attachments: 2.6.19 12.30 pm Draft CLEAN_AgWPS Revision_NPRM_FRdocument_AEZ_afh-523p.DOCX

Importance: High

Ex. 5 Deliberative Process (DP)

- Angela

From: Smith, Peterj
Sent: Wednesday, February 06, 2019 1:01 PM
To: Kasai, Jeanne <Kasai.Jeanne@epa.gov>
Cc: Yarger, Ryne <Yarger.Ryne@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>
Subject: RE: Peter need your help

Hi Jeanne,

Ex. 5 Deliberative Process (DP)

NOTICE: If this electronic communication explains, justifies, or documents an official action or decision, it may be subject to federal records requirements. Federal employees should evaluate the contents of this message before deleting it.

Peter J. Smith | U.S. EPA | Office of Chemical Safety and Pollution Prevention
1200 Pennsylvania Ave., NW | Washington, DC 20460 | phone 202/564-0262 | email smith.peterj@epa.gov

From: Kasai, Jeanne
Sent: Wednesday, February 06, 2019 12:53 PM
To: Smith, Peterj <Smith.Peterj@epa.gov>
Cc: Yarger, Ryne <Yarger.Ryne@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>
Subject: Peter need your help

Hi Peter --

Ex. 5 Deliberative Process (DP)

Could you help us?

Ryne will be the point person because I'm leading a conference calls starting at 1 p.m

He is at home today:

Cell Ex. 6 Personal Privacy (PP)
Work 703 605 1193

Thanks!

From: Kasai, Jeanne
Sent: Wednesday, February 06, 2019 12:33 PM
To: Overstreet, Anne <overstreet.anne@epa.gov>
Subject: AEZ documents

Anne-
These incorporate Ryne's changes as of 9:45 am, and Rick, Winnie, Scott, and Patty's comments.

Ex. 5 Deliberative Process (DP)

Jeanne Kasai, USEPA
Office of Pesticide Programs, Certification & Worker Protection Branch
tel. 703-308-3240, kasai.jeanne@epa.gov
<http://www.epa.gov/pesticide-worker-safety>



Message

From: Kasai, Jeanne [Kasai.Jeanne@epa.gov]
Sent: 2/6/2019 8:40:47 PM
To: Smith, Peterj [Smith.Peterj@epa.gov]
CC: Yarger, Ryne [Yarger.Ryne@epa.gov]
Subject: Peter - this went to Rick late today.....latest draft FW: Revised WPS NPRM - For Your Review
Attachments: Cost Analysis AEZ 2019 02 06.docx; 2.6.19 12.20 pm DRAFT TRACK CHANGES_ AgWPS-Revision_NPRM_FRdocument_AEZ.DOCX; 2.6.19 AgWPS Revision.docx

Hi Peter –

Ex. 5 Deliberative Process (DP)

Thanks!
Jeanne

Jeanne Kasai, USEPA
Office of Pesticide Programs, Certification & Worker Protection Branch
tel. 703-308-3240, kasai.jeanne@epa.gov
<http://www.epa.gov/pesticide-worker-safety>



From: Overstreet, Anne
Sent: Wednesday, February 06, 2019 3:03 PM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Miller, Wynne <Miller.Wynne@epa.gov>; Mosby, Jackie <Mosby.Jackie@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Yarger, Ryne <Yarger.Ryne@epa.gov>; Kasai, Jeanne <Kasai.Jeanne@epa.gov>; Parrott, Patricia <parrott.patricia@epa.gov>
Subject: Revised WPS NPRM - For Your Review

Ex. 5 Deliberative Process (DP)

Peter will respond tomorrow morning but we wanted to get you what we have and we'll revise the text as needed.
Anne



Anne Overstreet, Chief
Certification and Worker Protection Branch
Field and External Affairs Division
Office of Pesticide Programs (7510P)
U.S. Environmental Protection Agency
(703) 308-8068
Overstreet.anne@epa.gov
<http://www.epa.gov/pesticides>

Message

From: Kasai, Jeanne [Kasai.Jeanne@epa.gov]
Sent: 2/6/2019 6:02:32 PM
To: Smith, Peterj [Smith.Peterj@epa.gov]
CC: Yarger, Ryne [Yarger.Ryne@epa.gov]; Overstreet, Anne [overstreet.anne@epa.gov]
Subject: FW: Peter need your help
Attachments: Cost Analysis AEZ 2019 02 06.docx; 2.6.19 12.20 pm DRAFT TRACK CHANGES_AgWPS-Revision_NPRM_FRdocument_AEZ.DOCX; 2.6.19 12.30 pm Draft CLEAN_AgWPS-Revision_NPRM_FRdocument_AEZ.DOCX

Peter --
I didn't know about that. This one is different though.
Thanks!
Jeanne

From: Smith, Peterj
Sent: Wednesday, February 06, 2019 1:01 PM
To: Kasai, Jeanne <Kasai.Jeanne@epa.gov>
Cc: Yarger, Ryne <Yarger.Ryne@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>; Hofmann, Angela <Hofmann.Angela@epa.gov>
Subject: RE: Peter need your help

Hi Jeanne,

Ex. 5 Deliberative Process (DP)

NOTICE: If this electronic communication explains, justifies, or documents an official action or decision, it may be subject to federal records requirements. Federal employees should evaluate the contents of this message before deleting it.

Peter J. Smith | U.S. EPA | Office of Chemical Safety and Pollution Prevention
1200 Pennsylvania Ave., NW | Washington, DC 20460 | phone 202/564-0262 | email smith.peterj@epa.gov

From: Kasai, Jeanne
Sent: Wednesday, February 06, 2019 12:53 PM
To: Smith, Peterj <Smith.Peterj@epa.gov>
Cc: Yarger, Ryne <Yarger.Ryne@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>
Subject: Peter need your help

Hi Peter --

Ex. 5 Deliberative Process (DP)

Could you help us?
Ryne will be the point person because I'm leading a conference calls starting at 1 p.m

He is at home today:

Cell Ex. 6 Personal Privacy (PP)

Work 703 605 1193

Thanks!

From: Kasai, Jeanne

Sent: Wednesday, February 06, 2019 12:33 PM

To: Overstreet, Anne <overstreet.anne@epa.gov>

Subject: AEZ documents

Anne-

These incorporate Ryne's changes as of 9:45 am, and Rick, Winnie, Scott, and Patty's comments.

Ex. 5 Deliberative Process (DP)

Jeanne Kasai, USEPA

Office of Pesticide Programs, Certification & Worker Protection Branch

tel. 703-308-3240, kasai.jeanne@epa.gov

<http://www.epa.gov/pesticide-worker-safety>

